Appendix A

Notice of Preparation
Scoping Document - Initial Study
NOP Comment Letters

CITY OF GOLETA

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF SCOPING MEETING

Planning and Environmental Services
August 12, 2010 at 4:00 P.M.

CORTONA APARTMENTS; CASE NO. 09-140-DP
6830 Cortona Drive; APN 073-140-016

NOTICE IS HEREBY GIVEN that the Planning and Environmental Services Department of the City of Goleta has completed a Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) and will conduct a scoping meeting on the date set forth below.

LOCATION: The proposed project is located at 6830 Cortona Drive; APN 073-140-016

GENERAL PLAN: R-MD; Medium Density Residential

ZONING: DR-20; Design Residential, 20 units/acre

PROJECT DESCRIPTION:

The proposed project includes the following elements:

1) 171 proposed apartments comprised of a mix of one, two, and three bedroom units (63 1-bedroom, 96 2-bedrooms, and 12 3-bedrooms) contained within seven two-story buildings (12 to 16 units each) and one three-story building (75 units) with a total residential square footage of 165,843 square feet.
2) Amenities include a 2,491-square foot communal recreation building, a 1,125-square foot swimming pool/spa (measuring 25 x 45 feet), a 672-square foot maintenance building, 322 parking spaces (in carports and open areas) and drive aisles, landscaping, exterior lighting, and an internal system of pedestrian pathways.
3) Access to the project would be provided via a 60-foot driveway onto Cortona Drive.
4) Water and sewer would be provided by the Goleta Water District and Goleta West Sanitary District.
5) Project grading would involve 5,700-cubic yards of cut and 8,500-cubic yards of fill (net import of 2,800-cubic yards of fill).
6) The project would include an ordinance amendment/development agreement between the City and the applicant for future participation in the construction of a new fire station in western Goleta to address existing deficiencies in fire protection services and may include other elements necessary to make a finding of a net public benefit under Government Code Section 65867.5.
7) The project also includes a request to modify the rear and side yard setbacks to allow for the location of carports on the rear (0-setback) property line and within five (5) feet of the side property line.

PURPOSE OF NOTICE OF PREPARATION AND SCOPING MEETING: The City of Goleta will be the Lead Agency under the California Environmental Quality Act (CEQA) and will prepare an Environmental Impact Report (EIR) for this project. The purpose of this Notice of Preparation/Notice of Public Scoping Meeting is to obtain agency and public comment on the adequacy of the scope of analysis and content of the environmental information and analysis to be conducted, including significant environmental issues, reasonable alternatives, and mitigation measures that should be included in the Draft EIR.

EIR SCOPE OF ANALYSIS: The EIR is intended to provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed project. The EIR would identify potentially significant effects, and any feasible means of avoiding or reducing the effects through project redesign, the imposition of mitigation measures, or implementation of alternatives to the project. The scope of analysis would include evaluation of project environmental effects associated with:

aesthetics, air quality, biological resources, cultural resources, drainage, geologic/soils, greenhouse gases, hazards and hazardous materials, hydrology/water quality, land use/planning, noise, public services, recreation, transportation/traffic, and utilities/service systems.

The City of Goleta will also conduct one public scoping meeting for the proposed project to receive oral testimony at the time and place listed below:

MEETING DATE AND TIME:	**August 12, 2010 at 4:00 P.M.**
PLACE:	**Goleta City Hall, Council Chambers** **130 Cremona Drive, Suite B,** **Goleta, California 93117**

All interested parties are encouraged to attend the scoping meeting and to present written and/or oral comments.

DOCUMENT AVAILABILITY: A copy of the notice and initial study/scoping document will be available for public review at the City of Goleta Planning and Environmental Services Department, 130 Cremona Drive, Suite B, Goleta, CA on and after July 23, 2010. The document will also be posted to the City's web site at www.cityofgoleta.org.

PUBLIC COMMENT PERIOD: The public review period begins on July 23, 2010 and ends on August 23, 2010 at 5:30 P.M. All letters should be addressed to Mr. Alan Hanson, Senior Planner, City of Goleta, 130 Cremona Drive, Suite B, Goleta, CA 93117. **All comments must be received no later than August 23, 2010 at 5:30 P.M.** Please limit comments to environmental issues.

If you have any questions or would like a copy of this notice, the initial study/scoping document or any of the documents referenced therein, please contact Alan Hanson at the above address, by phone at (805)961-7549, by email at ahanson@cityofgoleta.org, or by fax at (805)685-2635.

NOTE: In compliance with the Americans with Disability Act, if you need special assistance to participate in the hearing, please contact the Planning and Environmental Services Administrative Assistant at (805)961-7500. Notification at least 48 hours prior to the meeting will enable the staff to make reasonable arrangements to accommodate special needs.

Published: Santa Barbara News-Press; July 23, 2010

CITY OF GOLETA

CITY OF GOLETA
ENVIRONMENTAL CHECKLIST FORM and
INITIAL STUDY

1. **PROJECT TITLE:** Cortona Apartments; Case 09-140-DP

2. **LEAD AGENCY NAME AND ADDRESS:** City of Goleta, 130 Cremona Suite B, Goleta, CA 93117

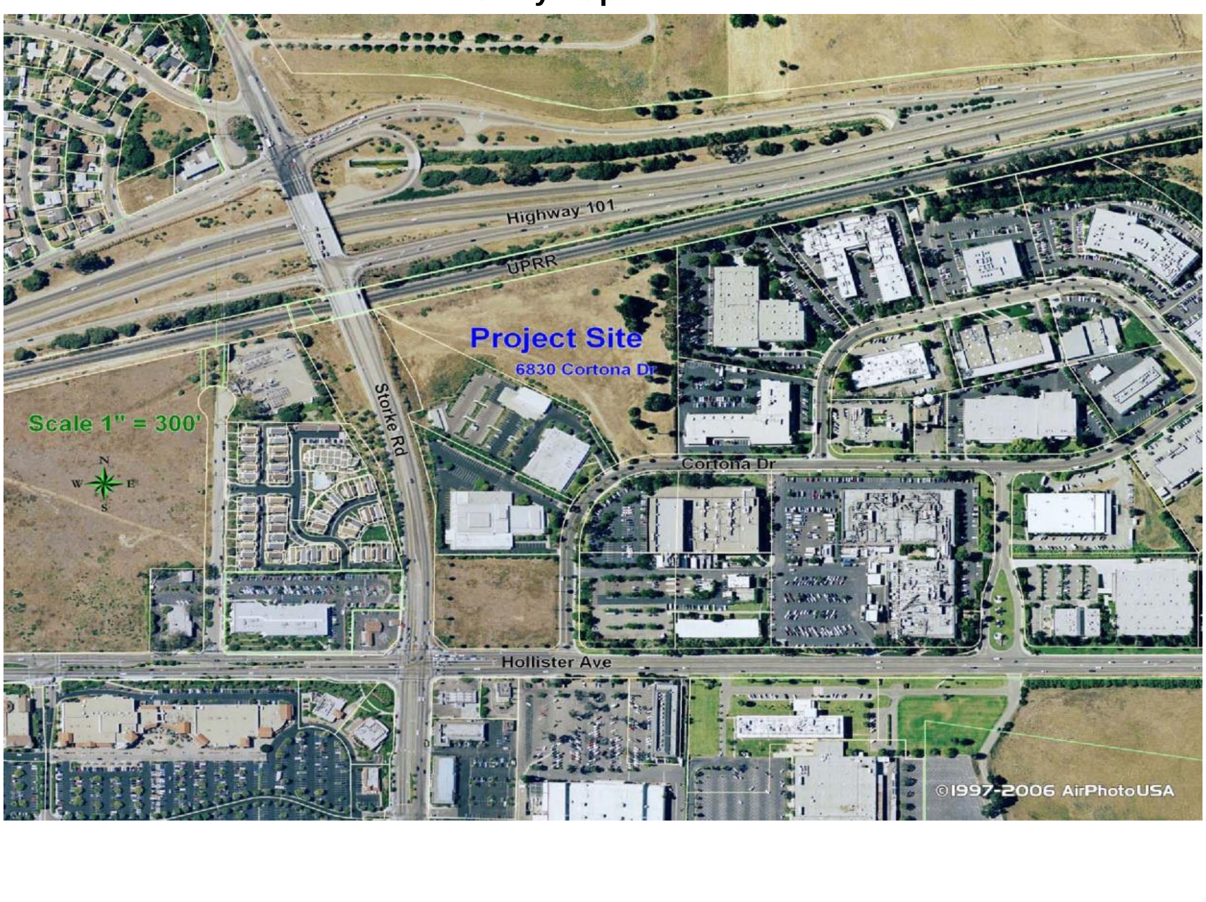
3. **CONTACT PERSON AND PHONE NUMBER:** Stephanie Diaz, Contract Planner, (805)961-7549

4. **APPLICANT:** John Price, Cortona Corner LLP, PO Box 61106, Santa Barbara, CA 93160

5. **AGENT:** Harwood White, 1553 Knoll circle Drive, Santa Barbara, CA 93103

6. **PROJECT LOCATION:** The proposed project is located at 6830 Cortona Drive; APN 073-140-016 within the Inland Area of the City.

Vicinity Map



7. PROJECT DESCRIPTION: The proposed project includes the following elements:

1) 171 proposed apartments comprised of a mix of one, two, and three bedroom units (63 1-bedroom, 96 2-bedrooms, and 12 3-bedrooms) contained within seven two-story buildings (12 to 16 units each) and one three-story building (75 units) with a total residential square footage of 165,843 square feet.
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3) Access to the project would be provided via a 60-foot driveway onto Cortona Drive.
4) Water and sewer would be provided by the Goleta Water District and Goleta West Sanitary District.
5) Project grading would involve 5,700-cubic yards of cut and 8,500-cubic yards of fill (net import of 2,800-cubic yards of fill).
6) The project would include an ordinance amendment/development agreement between the City and the applicant for future participation in the construction of a new fire station in western Goleta to address existing deficiencies in fire protection services and may include other elements necessary to make a finding of a net public benefit under Government Code Section 65867.5.
7) The project also includes a request to modify the rear and side yard setbacks to allow for the location of carports on the rear (0-setback) property line and within five (5) feet of the side property line.

8. APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES: None

9. SITE INFORMATION:

Site Information	
Existing General Plan Land Use Designation	Medium Density (R-MD), maximum 20 units/acre; minimum 15 units/acre
Zoning Ordinance, Zone District	Article III, Chapter 35 of the Municipal Code (Inland Zoning Ordinance) zoned Design Residential, 20 units/acre (DR-20)
Site Size	8.86 acres gross
Present Use and Development	Undeveloped
Surrounding Uses/Zoning	North: Union Pacific RR South: Cortona Drive/Business park zone M-RP East: Business park zoned M-RP West: Business park, zoned M-RP
Access	Existing: Cortona Drive Proposed: Cortona Drive

Site Information	
Utilities and Public Services	Water Supply: Goleta Water District (GWD) Sewage: Goleta West Sanitary District (GWSD) Power: Southern California Edison Natural Gas: Southern California Gas Co Cable: Cox Cable Telephone: Verizon Fire: Santa Barbara County Fire Department; Station 11/Station 14 School Districts: Santa Barbara High School District/Goleta Union School District

10. ENVIRONMENTAL SETTING

Topography and Soils
The project site has a gentle slope (1.6% average) draining in a predominately northwest to the southeast direction. Onsite elevations range from 49 feet above mean sea level (msl) at the northwest corner of the property to 31 feet above msl at Cortona Drive. The majority of the project site consists of Goleta fine sandy loam which is subject to medium runoff and a moderate erosion hazard. This soil type has a capability class of I(19) and is considered suitable for all irrigated crops and urban development. There is an area of cut/fill soils (xerorthents) located in the northwest corner of the project site that remain from construction of the Storke Road overpass over U.S. Highway 101. Such soils are typically well drained and subject to variable runoff and erosion hazards. These soils are typically used for urban development but site specific soil studies are needed on a case-by-case basis to accurately evaluate their development potential/possible development constraints.

Fauna, Flora and Surface Water Bodies
There are no surface water bodies on the project site. The majority of the project site is made up of a weedy grassland community comprised of European grasses and annual weeds typical of disturbed coastal areas on the South Coast. Unlike typical annual, non-native grassland in the area, few native, annual, spring flowering broad-leaf plants are present. Native species onsite are limited to several purple needlegrass plants, coyote brush, and 12 coast live oak ranging in size from 5" dbh to 24" dbh (diameter, breast height or approximately 54" above existing grade). Several areas less than one (1) square foot in size were previously observed that contained a predominance of hydrophytic vegetation as well as one site of approximately 700 SF along the railroad tracks abutting the property that contained both a predominance of hydrophytic vegetation and hydrology (Kathrine Rindlaub, *Wetlands and Vegetation, Campus Center Project*, dated April 3, 2000). No areas onsite were ever observed that included all three wetland parameters per the U.S. Army Corp of Engineer's definition (Rindlaub, April 3, 2000). A wide variety of wildlife species either have been observed on the property or are expected to occur in the vicinity. These include species known to inhabit ruderal fields, non-native grasslands, oaks, Coyote brush, and non-native trees. Such species include the western fence lizard, mourning dove, Anna's hummingbird, American crow, European starling, house finch, brush rabbit, and Botta's pocket gopher. In general, the project site is not expected to support a very diverse wildlife fauna due to its small size

and the degraded nature of the vegetation on the property (Rachel Tierney, *6830 Cortona Drive, Goleta, California Biological Assessment, August 14, 2009*).

Cultural Resources
A portion of the subject property site as well as part of the adjoining property to the west was once an extensive archaeological/cultural resource site known as SBa-54. SBa-54 is a large midden-bearing prehistoric site that has been largely destroyed as a result of past earth-moving activities beginning in 1961 (Wilcoxon Archaeological Consultants; *Results of a Limited Archaeological Subsurface Testing Program in Conjunction with Future Commercial Development of APN 073-140-016 on Cortona Drive, Goleta, California, February 7, 1998*). Although severely disturbed, *in situ* portions of SBa-54 still exist on the project site.

Surrounding Land Uses
The project site is bounded on its north by the Union Pacific Railroad and U.S. Highway 101, on its east and west by existing business park development, and on its south by Cortona Drive and business park development.

11. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist and analysis on the following pages.

■ Aesthetics
☐ Agriculture and Forestry Resources
■ Air Quality
■ Biological Resources
■ Cultural Resources
■ Geology/Soils
■ Greenhouse Gas Emissions
■ Hazards and Hazardous Materials
■ Hydrology/Water Quality
■ Land Use/Planning
☐ Mineral Resources
■ Noise
☐ Population/Housing
■ Public Services
■ Recreation
■ Transportation/Traffic
■ Utilities/Service Systems
■ Mandatory Findings of Significance

12. DETERMINATION

On the basis of this environmental checklist/initial study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier environmental impact report or mitigated negative declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier environmental document, including revisions or mitigation measures that are imposed upon the proposed project and that a subsequent document containing updated and/or site specific information should be prepared pursuant to CEQA Sections 15162/15163/15164.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier environmental impact report or mitigated negative declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier environmental document, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

____

Patricia S. Miller, Manager, Current Planning Division Date

13. EVALUATION OF ENVIRONMENTAL IMPACTS:

(a) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

(b) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

(c) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

(d) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (e) below, may be cross-referenced).

(e) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

1) Earlier Analysis Used. Identify and state where they are available for review.
2) Impacts Adequately Addressed. Identify which effects from the above checklist impacts were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
3) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

(f) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

(g) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

(h) Lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected. The explanation of each issue should identify:

1) The significance criteria or threshold, if any, used to evaluate each question; and

2) The mitigation measure identified, if any, to reduce the impact to a less than significant level.

14. ISSUE AREAS:

AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Have a substantial adverse effect on a scenic vista?	■				
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	■				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	■				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		■			

Existing Setting

The project site is an undeveloped parcel between two, developed business park parcels on its east and west sides. Although the property offers expansive views to the north of the Santa Ynez Mountains from Cortona Drive, such views are not a designated as a scenic view corridor in the City's General Plan. Nearby Hollister Avenue is considered a "local scenic corridor" and provides a designated scenic view to the north of the Santa Ynez Mountains from its intersection with Coromar Drive, approximately 1,200 feet to the southeast.

Thresholds of Significance

A significant aesthetic impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additionally, the City's *Environmental Thresholds and Guidelines Manual* instructs the project evaluator to assess visual/aesthetic impacts through a two step process. First, the visual resources of the project site must be evaluated including the physical attributes of the site, its visual uniqueness, and its relative visibility from public viewing areas. Of particular concern are visibility from coastal and mountain areas, as well as its visibility from the urban fringe and travel corridors. Secondly, the potential impact of the project on visual resources located onsite and on views in the project vicinity which may be partially or wholly obstructed must be determined. This step includes an evaluation of the project's consistency with City and State policies on the protection of visual resources.

Project Specific Impacts

a-c) Public views from the Storke Road/U.S. Highway 101 overpass, as well as the north-bound Storke Road approach to the overpass, are designated as a protected 360^0 scenic view per the City's General Plan (Figure 6-1, Visual and Historic Resources Element) and includes views of the undeveloped site as well as the lower Bishop Ranch, neighboring foothills, and the Santa Ynez Mountains to the north and northeast (see Figure 1 below). Pursuant to General Plan Policy VH 1.1(g), the Santa Ynez Mountains, foothills, and fallow agricultural lands such as the lower Bishop Ranch are considered scenic resources to be protected and preserved. The project as proposed would develop virtually the entirety of the project site with two and three story buildings and could result in significant, adverse effects on public views from the overpass and as well as the Storke Road approach to the overpass of the lower Bishop Ranch, foothills, and the Santa Ynez Mountains. Therefore, project impacts on scenic resources such as view of the Bishop Ranch, neighboring foothills, the Santa Ynez Mountains.

Figure 1

As can be seen from Figure 2 below, views of both the Santa Ynez Mountains and foothills are also visible from Cortona Drive.

Figure 2

The proposed project involves the construction of a three-story building with a maximum roof height of over 39' towards the northern portion of the site in the center of this view. Such development has the potential to significantly block these views from Cortona Drive. Therefore, project impacts on views to the north of the Santa Ynez Mountains and the foothills above Bishop Ranch from Cortona Drive are also considered potentially significant.

The proposed project would alter the existing visual character of the project site changing it from an open, undeveloped property to a developed, large residential complex. However, the property is bordered on three sides (east, south, and west) by existing business park development and on the north by the Union Pacific Railroad and Highway 101 which also contribute to the visual quality and context of the area. As the proposed project represents a residential development of substantial size in an area already developed as a business park, the effect of the project on the overall visual character of the surrounding neighborhood in terms of architecture, site design, and density/intensity of use could create significant visual compatibility impacts. Such impacts are considered potentially significant.

d) The proposed apartment buildings will have exterior lighting for safety and security purposes as well as the carports and surface parking spaces. If not properly designed and shielded, potential night-lighting impacts on both surrounding properties as well as the City's night sky could be significant. Such impacts are considered potentially significant.

<u>Cumulative Impacts</u>

As the project is considered to pose a potentially significant impact on protected scenic resources of the City, the project's contribution to cumulative impacts posed by new development on such scenic resources would also be considered potentially significant.

<u>Preliminary Mitigation Measures</u>

1. The applicant shall receive Preliminary and Final approval from the Design Review Board. **Plan Requirements and Timing:** The review shall include site plan, floor plan, elevations, grading plan, landscape plan, and lighting plan consistent with the DRB submittal requirements. Additional materials shall be provided as required by the DRB to complete their review. Preliminary and Final approval shall be granted prior to approval of any Land Use Permit (LUP) for the project.

   <u>Monitoring</u>: City staff shall verify compliance prior to approval of any LUP for the project, during field inspection, and prior to final inspection.

2. The height of structural development shown on final plans shall not exceed the mean height and peak height shown on approved project exhibit maps. Finished grade shall be consistent with the approved final grading plan. **Plan Requirements and Timing:** During the framing state of construction and prior to commencement of roofing, the applicant shall submit verification from a licensed surveyor demonstrating that the mean height and peak height conform to those shown on approved LUP plan sets.

   <u>Monitoring</u>: City staff shall verify compliance prior to approval of any LUP for the project, during field inspection, and prior to commencement of roofing.

3. The applicant shall submit a composite utility plan for City staff and DRB Preliminary/Final review. All external mechanical equipment (including HVAC condensers, switch boxes, etc.) shall be included on all building plans and shall be designed to be integrated into the structure and/or screened in their entirety from public view. **Plan Requirements and Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by City staff and the DRB prior to LUP approval.

   <u>Monitoring</u>: Prior to final inspection, City staff shall verify installation of all external/roof mounted mechanical equipment per the approved plans.

4. All new utility service connections and above-ground mounted equipment such as backflow devices, etc, shall be shall be screened from public view and/or painted in a soft earth-tone color(s) (red is prohibited) so as to blend in with the project. Screening may include a combination of landscaping and/or fencing/walls. Whenever possible, utility transformers shall be placed in underground vaults. All gas and electrical meters shall be concealed and/or painted to match the building. All gas, electrical, backflow prevention devices and communications equipment shall be completely concealed in an enclosed portion of the building, on top of the building, or within a screened utility area. All

transformers and vaults that must be located within the right-of-way shall be installed below grade unless otherwise approved by the City, and then must be completely screened from view. **Plan Requirements and Timing:** The plans submitted for City staff and DRB Preliminary/Final review shall identify the type, location, size, and number of utility connections and above-ground mounted equipment, as well as how such equipment would be screened from public view and the color(s) that it would be painted so as to blend in with the project and surrounding area.

Monitoring: Prior to final inspection, City staff shall verify that all above-ground utility connections and equipment is installed, screened, and painted per the approved plans.

5. All exterior night lighting installed on the project site shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent properties. All free-standing light fixtures shall be no higher than 12 feet above finished grade and kept to the minimum number and intensity as needed to ensure site safety and security. Upward directed exterior lighting is prohibited. The applicant shall develop a lighting plan incorporating these requirements. **Plan Requirements and Timing:** The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures shall be reviewed and approved by the DRB and City staff prior to LUP approval.

   Monitoring: Prior to final inspection, City staff shall inspect to ensure that exterior lighting fixtures have been installed consistent with approved plans.

6. Project landscaping shall consist of approximately seventy-five percent (75%) drought-tolerant native and/or Mediterranean type species which adequately complement the project design and integrate the site with surrounding land uses. **Plan Requirements and Timing:** The final landscape plan shall identify the following:

   a) Type of irrigation proposed;
   b) All existing and proposed trees, shrubs, and groundcovers by species;
   c) Size of all plantings; and
   d) Location of all plantings.

   The final landscape plan shall be reviewed and approved by the DRB and City staff prior to LUP approval.

   Monitoring: Prior to final inspection, City staff shall site inspect to ensure that landscaping has been installed consistent with the final landscape plan.

7. The applicant shall enter into an agreement to install required landscaping and water-conserving irrigation systems as well as maintain required landscaping for the life of the project. **Plan Requirements and Timing:** The applicant shall sign

the landscape installation and maintenance agreement, including at least a 3-year maintenance period, prior to approval. Performance securities for installation and maintenance shall be reviewed and approved by City staff prior to LUP issuance.

Monitoring: Prior to final inspection, City staff site inspect to ensure installation according to approved plan. City staff shall check maintenance as needed. Release of any performance security requires appropriate documentation and City staff signature.

8. Trash/recycling enclosure(s) shall be provided. **Plan Requirements and Timing:** The enclosure shall be compatible with the architectural design of the project, shall be of adequate size for trash and recycling containers (at least 50 SF), and shall be accessible by users and for removal. The trash/recycling area shall be enclosed with a solid wall of sufficient height to screen the area, shall include a solid gate and a roof, and shall be maintained in good repair in perpetuity. The enclosure(s) shall be shown on project plans and shall be reviewed and approved by City staff and the DRB prior to LUP approval.

   Monitoring: Prior to final inspection, City staff shall site inspect to ensure installation according to the approved plan.

9. Construction and/or employee trash shall be prevented from blowing offsite. **Plan Requirements and Timing:** Covered receptacles shall be provided onsite prior to commencement of any grading or construction activities. Waste shall be picked up weekly or more frequently as directed by City staff. The applicant shall designate and provide to City staff the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by City staff. This requirement shall be noted on all plans prior to LUP approval. Trash control shall occur throughout all grading and construction activities.

   Monitoring: City staff shall inspect periodically throughout grading and construction activities to verify compliance.

10. No signs of any type are approved with this action unless otherwise specified. All signs require a separate sign permit and Design Review Board (DRB) approval and shall comply with the City of Goleta sign regulations (Article I, Chapter 35 of the Municipal Code). **Plan Requirements and Timing:** Future signage shall comply with the requirements of Article I, Chapter 35 of the Municipal Code prior to issuance of any Sign Certificate of Conformance.

    Monitoring: City staff shall verify compliance with this requirement.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall describe the visual/aesthetic environmental baseline for the project. This task shall include conducting one or more site visits as necessary to photo-document the existing setting, and public views of and through the site from surrounding public viewing areas. Photo-documentation shall include views across the project site from the Storke Road/U.S. Highway 101 overpass to the Bishop Ranch, neighboring foothills, and Santa Ynez Mountains, as well as views from Cortona Drive looking northward toward the Santa Ynez Mountains and foothills above the Bishop Ranch.
2. The EIR consultant shall describe the criteria for determining a project's visual/aesthetic impacts, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State regulations and standards relating to visual/aesthetic resources and impacts.
3. The EIR consultant shall utilize the photo-documentation used to establish the environmental baseline to prepare visual simulations of the project. Visual simulations of the proposed project shall focus on views from public viewing areas across the site from the Storke Road/U.S Highway 101 overpass, including views of the lower Bishop Ranch, neighboring foothills, and the Santa Ynez Mountains, as well as views of the foothills Santa Ynez Mountains from Cortona Drive.
4. The EIR preparer shall describe the changes to views of and through the site in the post-project scenario and assess in detail the significance of those changes to existing views of scenic resources, especially to views from the Storke Road/U.S. Highway 101 overpass and ramps.
5. The EIR consultant shall describe in detail the project's contribution to cumulative visual/aesthetic impacts. The discussion of cumulative impacts should include the visual/aesthetic impact of project development, taking into account existing and proposed development in the central Hollister area (City staff to provide a list and associated map of cumulative projects in the project area) that could affect views of the Santa Ynez Mountains. The project's contribution to cumulative visual/aesthetic impacts to also be further evaluated pending a review of the photos from surrounding public viewing areas.
6. The EIR consultant shall review the mitigation measures identified above to assess both their feasibility as well as effectiveness. Where both necessary and feasible, the EIR consultant shall identify additional required mitigation measures, as determined necessary, to reduce significant, adverse visual/aesthetic impacts to less than significant levels, including, but not limited to changes to landscaping, relocation/re-orientation/redesign of specific buildings, modification to street frontage improvements, etc.
7. The EIR consultant shall identify additional mitigation measures, where appropriate, to minimize adverse, but less than significant visual/aesthetic impacts, consistent with required findings for approval of a Development Plan (Inland Zoning Ordinance §35-317.7.b).
8. The EIR consultant shall prepare a statement of residual impacts based on implementation of all mitigation identified in the EIR.

AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			■		
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?				■	
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use?				■	
d. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				■	
e. Result in the loss of forest land or conversion of forest land to non-forest use?				■	

<u>Existing Setting</u>

The project site is undeveloped and contains almost entirely Class I soils. It is surrounded however by existing business park development that was developed as early as thirty years ago. The site was historically used for agricultural production, including row crops and farm-worker as part of the Bishop Ranch until mid 1960s when urbanization of this portion of the Goleta Valley began.

Thresholds of Significance

A significant impact to agricultural resources would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additionally, a project may pose a significant environmental effect on agricultural resources if it conflicts with adopted environmental plans and goals of the City or converts prime agricultural land to non-agricultural use or impairs the agricultural productivity of prime agricultural land.

Project Specific Impacts

a) As noted above, the existing soils onsite are primarily Class I and therefore are considered “prime.” To assess the potential impact to agricultural resources posed by a project that would convert prime soils to a non-agricultural use, the City has adopted a weighted system of screening guidelines as part of the City’s adopted *Environmental Thresholds and Guidelines Manual*. Staff has conducted an assessment of the proposed project using these guidelines (please refer to Attachment 1 of this Initial Study). The *Environmental Thresholds and Guidelines Manual* states that “Where the points from the following formula total 60 or more, the following types of projects will be considered to have a potentially significant impact:…A Development Plan, Conditional Use Permit, or other discretionary act which would result in the conversion from agricultural use of a parcel qualifying as viable using the weighted system.” As can be seen from the analysis presented in Attachment 1, the characteristics of the project site would not support a determination that the project site is agriculturally viable and therefore, potential impacts to agricultural resources as a result of project implementation would be considered less than significant.

b-e) The project site is not under a Williamson Act agricultural preserve contract nor would it qualify for one. Therefore, the proposed project would have no impact on agricultural resources protected by the Williamson act. There are no agricultural operations in proximity to the project site that could be affected by environmental changes resulting from project implementation. There are no forest lands or land with forest zoning pursuant to Gov’t Code Section 51104(g) or Public Resources Code Sections 12220(g) or 4526 anywhere within the City of Goleta. As such, impacts on such resources would not occur as a result of project implementation.

Cumulative Impacts

Project contributions to cumulative impacts on agricultural and forest resources would be considered less than significant.

Preliminary Mitigation Measures

No mitigation is required or recommend regarding possible project impacts on agricultural/forest resources.

Residual Impact

Project specific, as well as project contributions to cumulative impacts on agricultural resources would be considered less than significant.

EIR Scope-of-Work

A discussion of agricultural and forest resources impacts is not to be included in the EIR.

AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Conflict with or obstruct implementation of the applicable air quality plan?			■		
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			■		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	■ (short-term cumulative construction impacts)		■ (long-term operational impacts)		
d. Expose sensitive receptors to substantial pollutant concentrations?	■				
e. Create objectionable odors affecting a substantial number of people?		■			

Existing Setting

The climate in and around, the City of Goleta, as well as most of Southern California, is controlled largely by the strength and position of the subtropical high-pressure cell over the Pacific Ocean. This high-pressure cell typically produces a Mediterranean climate with warm summers, mild winters, and moderate rainfall. This pattern is periodically interrupted by periods of extremely hot weather brought in by Santa Ana winds. Almost all precipitation occurs between November and April, although during these months, the weather is sunny or partly sunny a majority of the time. Cyclic land and sea breezes are the primary factors affecting the region's mild climate. The daytime winds are normally sea breezes, predominantly from the west, that flow at relatively low velocities.

Additionally, cool, humid, marine air causes frequent fog and low clouds along the coast, generally during the night and morning hours in the late spring and early summer.

Surface temperature inversions (0 to 500 feet) are most frequent during the winter, and subsidence inversions (1,000 to 2,000 feet) are most frequent during the summer. Inversions are an increase in temperature with height and directly related to the stability of the atmosphere. Inversions act as a cap to the pollutants that are emitted below or within them. The subsidence inversion is very common during the summer along the California coast, and is one of the principal causes of air stagnation. Poor air quality is usually associated with air stagnation (high stability/restricted air movement).

Air Quality Standards – Criteria Pollutants
The Federal Government and the State of California have established air quality standards and emergency episode criteria for various pollutants. Generally, State regulations have stricter standards than those at the Federal level. Air quality standards are set at concentrations that provide a sufficient margin of safety to protect public health and welfare. Air quality at a given location can be described by the concentration of various pollutants in the atmosphere. The significance of a pollutant concentration is determined by comparing the concentration to an appropriate Federal and/or State ambient air quality standard.

Federal standards are established by the US Environmental Protection Agency (EPA) and are termed the National Ambient Air Quality Standards (NAAQS). The State standards are established by the California Air Resources Board (CARB) and are called the California Ambient Air Quality Standards (CAAQS). The region generally has good air quality, as it attains or is considered in maintenance status for most ambient air quality standards. The Santa Barbara County Air Pollution Control District (APCD) is required to monitor air pollutant levels to assure that Federal and State air quality standards are being met.

Criteria Pollutants
Criteria pollutants of primary concern include ozone (O_3), carbon monoxide (CO), nitrogen oxide (NO_2), particulate matter less than 10 microns in diameter (PM_{10}), and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$). Although there are no ambient standards for volatile organic compounds/reactive organic gases (VOCs/ROCs) or nitrogen oxides (NO_X), they are important as precursors to O_3.

Ozone air pollution is formed when nitrogen oxides (NO_x) and reactive organic compounds (ROCs) react in the presence of sunlight. According to the APCD, the major sources of ozone precursor emissions in Santa Barbara County are motor vehicles, the petroleum industry, and solvent usage (paints, consumer products, and certain industrial processes). Sources of PM_{10} include grading, demolition, agricultural tilling, road dust, mineral quarries, and vehicle exhaust.

The County currently violates the State 8-hour ozone and PM_{10} standards. The County is in attainment of the Federal 8-hour ozone standard and the State 1-hour ozone standard. The APCD has adopted Clean Air Plans (CAPs) that demonstrate how the County will maintain and/or meet State and Federal air quality standards, including ozone and particulate matter standards.

Thresholds of Significance

A significant air quality impact could occur if the proposed project resulted in any of the impacts noted in the above checklist.

In addition, per the City's *Environmental Thresholds and Guidelines Manual*, a significant adverse air quality impact may occur when a project, individually or cumulatively, triggers either of the following:

- Interferes with progress toward the attainment of the ozone standard by releasing emissions which equal or exceed the established long-term quantitative thresholds for NO_X and ROG; or
- Equals or exceeds the State or Federal ambient air quality standards for any criteria pollutant (as determined by modeling).

The project is deemed to have a significant impact on regional air quality if emissions related to project operation exceed the significant threshold established by APCD, currently set at 25 pounds per day for NO_X and ROG emissions for motor vehicle trips. Furthermore, if a project's emissions exceed these thresholds, then the project's cumulative impacts would also be considered significant.

The City's thresholds also include criteria for conducting carbon monoxide (CO) emission modeling. However, due to the relatively low background ambient CO levels in Santa Barbara County, localized CO impacts associated with traffic at congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, CO "Hotspot" analyses are not required anymore.

APCD no longer has quantitative emission significance thresholds for short-term construction activities because construction emissions from land development projects have been accounted for in the 2008 Clean Air Plan (CAP). Nevertheless, due to the fact that Santa Barbara County is not in compliance with State standards for airborne particulate matter (PM_{10}), construction generated fugitive dust (50% of total dust) is subject to the City's standard dust mitigation requirements.

Project Specific Impacts

The proposed project would result in the construction of 171 new apartment units totaling 165,843 SF of building area, a 2,491 SF communal recreation building, 25' x 45' swimming pool/spa, 617 SF maintenance building, carports, surface parking/drive aisles, and landscaping on an 8.86 acre site. The total hard-scape developed footprint would involve 220,114 SF or 57% of the total project site. Project grading would involve 5,700 cubic yards of cut and 8,500 cubic yards of fill (net import of 2,800 cubic yards of fill). Grading and construction would result in new short-term air quality impacts while new air quality impacts associated with both operational and vehicular sources would also occur as a result of project implementation.

The City's methodology for quantifying criteria pollutant emissions relies upon the URBEMIS 2007 9.2 air quality modeling software for identifying short-term construction and long-term operational impacts for the pounds/day unmitigated condition. Actual estimates are based on a 2008 unmitigated condition.

Short-Term Construction Impacts:

a,b) As the APCD no longer has quantitative standards for construction emissions of ozone precursors such as ROCs or NO_x, project construction emissions of these pollutants would not be considered to pose a potentially significant obstacle to implementation of the APCD's CAP or violate any State or Federal air quality standard. Preliminary earthwork quantities are estimated at 5,700 cubic yards of cut and 8,500 cubic yards of fill (2,800 cubic yards imported fill). As a result, construction grading generated PM_{10} dust for a project of this size is estimated to be 44.49 lbs/day. However, as the City has no threshold for construction generated PM_{10}, such an air quality impact is considered adverse but less than significant.

d) Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. $PM_{2.5}$ exhaust emissions for heavy equipment involved in project construction are estimated at 4.13 lbs/day. This level of project generated diesel particulate emissions is considered to pose a potentially significant health risk for sensitive receptors.

e) Construction of new parking areas and drive aisles onsite would require application of aggregate concrete (AC aka asphalt) that could create objectionable odors for employees and visitors to the surrounding business park properties. Such odors would be temporary and localized. APCD Rule 329, a prohibitory rule governing the application of cutback and emulsified asphalt paving materials in the County, would apply to all project paving activities. Therefore, impacts related to objectionable odors affecting a substantial number of people are considered potentially significant.

Long-term Operational Impacts:

a-c) The proposed project's long-term, daily operational emissions (emissions from landscaping, heating, solvents, paints, etc) as well as vehicular generated emissions of ROCs and NO_x are estimated at 19.57 and 13.49 lbs/day respectively. As the estimated emission levels (operational + vehicular) of ROCs and NO_x do not exceed the City's threshold of 25 lbs/day, resulting, long-term air emissions generated by the proposed project are considered less than significant.

d) The proposed project would be located within an existing business park/industrial area on Cortona Drive. Businesses within the surrounding business park/industrial area may engage in business/manufacturing practices that result in the release of toxic air contaminants and/or hazardous air pollutants. Exposure to toxic air contaminants from stationary sources in the adjacent industrial area could result in increased short-term and long-term health risks, both cancer and non-cancer related. These impacts are considered potentially significant.

The Southern Pacific Railroad tracks and U.S. Highway 101 are located immediately to the north of the project site. These transportation corridors are a significant source of diesel particulate emissions (PM_{10} & $PM_{2.5}$). Recent studies have indicated that significant health effects may occur as a result of exposure to such fine particulate emissions, particularly for children that live less than 500' from transportation corridors carrying as few as 41,000 average daily trips (Santa Barbara County APCD; *Public Health and High Traffic Roadways*). The Santa Barbara County Association of Governments (SBCAG) estimated that in 2006 U.S. Highway 101 carried 68,500 ADTs at the Glen Annie interchange (SBCAG, 2006). As fine particulate diesel emissions are classified by the State as carcinogenic (APCD, 2008), and traffic volumes along the Highway 101 corridor adjacent the project site are at levels deemed to be of concern for sensitive receptors by various agencies including the APCD, such particulate emissions would be considered to pose a potentially significant health risk for sensitive receptors.

e) As a residential project, it is not anticipated that such a use would result in the generation of any objectionable odors over the long term.

Cumulative Impacts

Short-term Construction Contributions to Cumulative Impacts:
As noted above, the County violates the State standard for airborne particulate matter (PM_{10}). As project grading would generate almost 45 lbs/day of PM_{10} airborne particulates, project grading would be considered to pose a potentially significant contribution to cumulative airborne particulate levels on the South Coast. Potential health risks posed by the proximity of the project site to the U.S. Highway 101 corridor are also considered to pose a potentially significant contribution to cumulative impacts on sensitive receptors to fine particulate emissions generated by transportation corridors in the area.

Preliminary Mitigation Measures

1. Dust generated by construction and/or demolition activities shall be kept to a minimum with a goal of retaining dust on the site. **Plan Requirements**: The following dust control measures listed below shall be implemented by the contractor/builder:

   a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
   b) During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour. If wind speeds increase to the point when such measures cannot prevent dust from leaving the site, construction activities shall be suspended.
   c) Grading and scraping operations shall be suspended when wind speeds exceed 20 mph.
   d) Gravel pads shall be installed at all access points to the project site to prevent tracking of mud onto City roadways.
   e) Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to City staff and the APCD and shall be posted in three locations along the project site's perimeter for the duration of grading and construction activities. **Timing:** All requirements shall be noted on all plans submitted for LUP issuance.

<u>Monitoring</u>: City staff shall contact the designated monitor and perform periodic site inspections to verify compliance.

2. If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:

   a) Seeding and watering to revegetate graded areas; and/or
   b) Spreading of soil binders; and/or
   c) Any other methods deemed appropriate by City staff.

   Plan Requirements and Timing: These requirements shall be noted on all plans submitted for issuance of any LUP for the project.

   <u>Monitoring</u>: City staff shall perform periodic site inspections to verify compliance.

3. During all project grading and hauling, construction contracts must specify that construction contractors shall adhere to the requirements listed below to reduce emissions of ozone precursors and particulate emissions from diesel exhaust:

   a) All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
   b) Diesel powered equipment should be replaced by electric equipment whenever feasible.
   c) Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
   d) Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.
   e) Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
   f) All construction equipment shall be maintained in tune per the manufacturer's specifications.

g) The engine size of construction equipment shall be the minimum practical size.
h) The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
i) Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements and Timing: The construction emission requirements shall be printed all plans submitted for any LUP, building, or grading permits.

Monitoring: City staff shall verify compliance with requirements for printing the aforementioned construction emission requirements on all plans submitted for any LUP, building, or grading permits.

4. The applicant shall prepare an Alternative Transportation/Transportation Demand Management Program to help reduce emissions associated with project generated vehicular trips. **Plan Requirements and Timing:** The Alternative Transportation/Transportation Demand Management Program shall include, but not be limited to, the following elements:

a) The applicant shall contact the Metropolitan Transit District (MTD) to identify appropriate Transportation Demand Management (TDM) programs that are available to serve both project residents and their visitors. Notice of all available TDM programs shall be given to all new residents immediately prior to their occupancy of any unit within the project.
b) Notice of MTD bus routes and schedules shall be posted and maintained up-to-date in a central location(s) at the club house/recreation center.
c) Secure bicycle storage shall be provided onsite.

An Alternative Transportation/TDM Program shall be prepared by the applicant for review and approval by City staff prior to any LUP approval.

Monitoring: City staff shall verify compliance prior to any LUP approval as well as prior to any final inspection.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall verify/update the air quality environmental baseline for criteria pollutants. The APCD has posted the most up-to-date attainment status for the County on the APCD website www.sbcapcd.org/sbc/attainment.htm and the most recent Clean Air Plan is available at www.sbcapcd.org/cap.htm for use in preparing the project's environmental baseline.
2. The EIR consultant shall describe the criteria for determining a project's air quality impacts, including the Initial Study checklist questions, direction provided

in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations relating to air quality and air quality impacts.

3. The EIR consultant shall prepare a Health Risk Assessment (HRA) regarding exposure to toxic air contaminants. The EIR consultant shall identify all businesses within 2,000 feet of the project site, determine emission levels of any toxic air contaminants or hazardous air pollutants, and estimate the onsite exposure of such emissions on sensitive receptors.
4. The EIR consultant prepare a HRA to quantitatively evaluate potential impacts on sensitive receptors resulting from fine particulate and other transportation generated emissions from the railroad/U.S. Highway 101 corridor due to the proximity of the proposed residential units to this transportation route.
5. The EIR consultant shall verify/update short-term construction emissions estimates for criteria pollutants using the most recent URBEMIS air quality modeling software.
6. The EIR air quality consultant shall verify/update long-term operational emissions estimates for criteria pollutants using the most recent URBEMIS air quality modeling software.
7. The EIR consultant shall verify/update impact significance levels by analyzing project impacts associated with criteria pollutants against the applicable thresholds of significance.
8. The EIR consultant shall identify and discuss the significance of project air quality impacts associated with both short-term construction activities and long-term operational activities, based on the thresholds of significance noted above. In addition, the EIR consultant shall identify and assess the significance of risk to sensitive receptors resulting to the exposure of such receptors to both transportation corridor particulate emissions as well as potential emissions from neighboring manufacturing uses.
9. The EIR consultant shall identify and discuss the project's contribution to cumulative air quality impacts, both for construction and long-term operations. In addition, the EIR consultant shall identify and discuss project contributions to the cumulative health risk posed by exposure of sensitive receptors to
10. The EIR consultant shall evaluate the adequacy of the mitigation measures identified in the Initial Study as well as identify additional, feasible mitigation measures where appropriate that reduce potentially significant impacts to less than significant levels as well as evaluating residual impacts after such mitigation measures are implemented. APCD's guidance document, entitled *Scope and Content of Air Quality Sections in Environmental Documents* (updated June, 2008).
11. The EIR consultant shall prepare a statement of residual impacts based on implementation of all mitigation identified in the EIR.

BIOLOGICAL RESOURCES

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		■			
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		■			
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	■				
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		■			
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	■				
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				■	

<u>Existing Setting</u>

The project site slopes gently from the northwest to the southeast and shows signs of significant, past site disturbance. There are no surface water bodies onsite. Existing vegetation onsite is typical for such disturbed areas and consists primarily of non-native trees and shrubs. Twelve (12) Coast live oaks with a dbh of 5” or more are located on the eastern portion of the site with a small, 2,000 SF area of purple needlegrass in the northwest corner of the property and areas of coastal sage scrub/coyote brush along the northern and western property lines. The coastal sage scrub/coyote brush along the northern property line is designed as an Environmentally Sensitive Habitat Area (ESHA) in the City's General Plan (Figure 4-1 of the Conservation Element) but the strip of coastal sage scrub/coyote brush along the western property line is not. Wildlife species that have either been observed onsite or are expected to occur on the property include those common to native and non-native habitats in Goleta (e.g. ruderal fields, non-native grasslands, stands of oaks and non-native trees, and coyote brush scrub). These species include western fence lizard, mourning dove, Anna's hummingbird, American crow, European house starling, house finch, brush rabbit, and Botta's pocket gopher. The project site is not expected to support a diverse wildlife fauna due to its small size and the degraded nature of the onsite vegetation (Rachel Tierney Consulting; *Biological Assessment, 6830 Cortona Drive, Goleta California*, dated August 14, 2009).

<u>Thresholds of Significance</u>

A significant impact on Biological Resources would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additionally, per the City's *Environmental Thresholds & Guidelines Manual* a project would pose a significant environmental impact(s) on biological resources in any of the following would result from project implementation:

a) A conflict with adopted environmental plans and goals of the community where it is located;
b) Substantial effect on a rare or endangered plant or animal species;
c) Substantial interference with the movement of any migratory or resident fish or wildlife species;
d) Substantial diminishment of habitat for fish, wildlife, or plants.

<u>Project Specific Impacts</u>

a,d) Although no sensitive wildlife species have been observed on the project site, at least three special status species are known to occur at least seasonally in the vicinity. These include white tailed kites which are listed by the State as a "fully protected" species, Cooper's hawks (considered a species of local concern), and warbling vireos, also considered a species of local concern. White tailed kites are more common within the City during the winter when they use open fields in the area such as the Bishop Ranch and More Mesa area for foraging purposes. However, there are no known recorded observations of white tailed kites foraging within 500 feet of the project site (Tierney; August 14, 2009). White tailed kite nesting activity does occur along the South Coast but again, has never been the observed on the project site. Possible reasons for this lack of nesting activity are that trees suitable for nesting need to be isolated from human disturbance and activities and in close enough proximity to foraging habitat so that foraging kites can guard their nests from predators while foraging. Given that the project site is surrounded on three sides by developed business parks and is not adjacent to foraging grounds on the Bishop Ranch or More Mesa, the project site is not considered suitable for nesting purposes. Therefore, project impacts on white tailed kites would be considered less than significant.

Cooper's hawks are considered a non-nesting transient species throughout Santa Barbara County. This species prefers wooded habitats for foraging and roosting purposes such as oak, riparian, and urban woodlands. According to the project biologist, although Cooper's hawks have been regularly observed using the woodlands around Lake Los Carneros , they are not expected to use the urban/Coast live oak mixed woodland on the eastern side of the project site for perching/roosting purposes or the project site for foraging (Tierney; August 14, 2009).

Warbling vireos conduct annual Spring and Fall migrations between nesting and foraging areas. This species is known to nest in riparian and oak-riparian woodlands and forage in scrub and woodland habitats. Nesting on the project site is not expected but this species is expected to forage in the vicinity of the project site (Tierney; August 14, 2009). As large tracts of open land are located in the vicinity of the project site (e.g. Bishop Ranch and Lake Los Carneros), the loss of the 8.86 acres of the subject property as potential foraging habitat for warbling vireos would not be considered a potentially significant impact on this species.

Other special status species that could use the project site for nesting purposes include raptors such as red tailed hawk and red shouldered hawks. Although no nesting by these species has been observed on the project site, nesting by these species has been observed in the vicinity. Project construction could disrupt existing nesting activities on the project site or in the vicinity and cause nesting raptor pairs to abandon their nests. If this were to occur, such impacts on raptor nesting activity would be considered potentially significant.

b,e) There are three sensitive habitat types on the project site; coastal sage scrub, coast live oaks, and native grassland. Although the project biologist argues that the coastal sage scrub onsite does not actually qualify as such due to the fact that only coyote brush mixed with non-native, weedy species occurs here, the area along the northern property line is considered an ESHA pursuant to the General Plan. The total area of coastal sage scrub ESHA plus the area identified as coastal sage scrub along the western property line that would be disturbed by the project is 0.85 acres. The submitted project proposes to mitigate this loss by funding offsite mitigation on at 2:1 replacement ratio (1.70 acres of restoration) on land owned by UCSB, either adjacent to the Campus Lagoon or on University land west of the Ocean Meadows Golf Course. At this juncture, no detailed restoration plan has been prepared, reviewed, accepted by the City, or funded by the applicant. Furthermore, offsite mitigation is problematic given City General Plan requirements for such mitigation to occur only in areas subject to the protection of the City's General Plan (which is not applicable to out-of-jurisdiction areas such as UCSB), as well as General Plan prohibitions against the disturbance of ESHAs when other development options for a parcel are available that avoid such disturbance. While General Plan consistency is a planning matter and not necessarily an environmental impact pursuant to CEQA, the lack of certainty at this juncture as to; a) the feasibility of the applicant's proposed mitigation given the absence of a specific mitigation plan, b) the possible General Plan inconsistencies posed by offsite mitigation, and c) the lack of any alternative analysis (which is beyond the scope of an initial study) as to whether or not avoidance of the ESHA feasible while still providing the property owner reasonable use of his property, results in the proposed project impacts on onsite coastal sage scrub being considered potentially significant.

The project site includes 12 coast live oaks with a dbh of 4" or more. Although not designated as a native woodland under the City's General Plan, the City's *Environmental Thresholds and Guidelines Manual* defines the loss of 10% or more of any native trees on a project site as a potentially significant impact on biological resources. Under the proposed project, eight (8) of the existing 12 coast live oaks onsite would be removed (Tierney; August 14, 2009). As this represents ⅔ of the total number of coast live oaks onsite, such removal would be considered potentially significant. The project description includes a tree protection plan (Duke McPhearson; *Tree Protection Plan, 6830 Cortona Drive*, dated August 23, 2009) that proposes to plant three (3) 24" box coast live oaks for every oak removed (24 replacement oaks proposed). However, the feasibility of the submitted plan as mitigation to reduce such impacts to less than significant levels cannot be verified since the associated landscaping plan only calls for 15 gallon coast live oaks to be planted. As the amount of space onsite to support landscaping is limited due to the intensity of the proposed development, the ability to plant 24, 24" box coast live oak trees versus 24, 15 gallon coast live oaks cannot be established at this juncture. Furthermore, the City's General Plan includes policies that require the protection/avoidance of existing native trees onsite, and that removal is only allowed when there are no feasible alternatives to avoidance that provide the property owner with reasonable use of his/her property. Although the issue of policy consistency in this regard is not necessarily an environmental impact pursuant to CEQA, without a project alternative analysis which is beyond the scope of an initial study, the issue of avoidance versus removal cannot be fully resolved, leaving the feasibility of the submitted tree protection plan in question. Therefore, such impacts on coast live oaks would be considered potentially significant.

The existing 2,000 SF of native grassland in the northwest corner of the project site is not proposed for removal or disturbance under the project description and/or project plans. However, the proposed landscaping plan does include landscape installation of non-native turf that would abut this area of native grassland. Without an adequate buffer and protective measures to ensure that such landscaping and associated irrigation would not disturb this native grassland, project impacts to this biological resources would be considered potentially significant.

c) Prior biological surveys of the subject property observed wetland resources onsite, although no areas larger than one (1) square foot were observed that were vegetated predominantly by wetland species (Katherine Rindlaub Biological Consulting; *Vegetation and Wetlands, Campus Center Project*, April 3, 2000; Katherine Rindlaub Biological Consulting; *Vegetation and Wetlands, Campus Center Project*, November 24, 1998). Single individuals of larger wetland species and small clusters of smaller species were observed onsite during these prior surveys. A few toad rush individuals were also found in one spot, and individuals of curly dock and brass buttons were noted in wheel ruts in the dirt roadway that traverses the project site on an angle from Cortona Drive to the northwest corner

(Rindlaub; April 3, 2000). A low-lying area among the coyote brush shrubs adjacent to the railroad near the northwestern corner of the site was found to exhibit hydric soils although it does not support hydrophytic vegetation (Rindlaub; April 3, 2000).

None of these areas onsite would meet all three criteria of the U.S. Army Corps of Engineer's jurisdictional wetland definition (hydric soil, wetland hydrology, and wetland vegetation). However, at least two of the small areas observed would meet the U.S. Fish and Wildlife Service, California Department of Fish and Game, and City of Goleta criteria for wetlands because at least one of the criteria were present (Rindlaub; April 3, 2000). It should also be noted that the consulting biologist who conducted those surveys stated that "The California Department of Fish and Game is unlikely to claim jurisdiction over these areas because they are not associated with a drainage. These areas have little or no functional value as a wetland" (Rindlaub, April 3, 2000).

Vegetation patterns in a specific location can change with time given changes in climatic regimes such as variations in rainfall or physical conditions on site such as past soil disturbance. The applicant's consulting biologist surveyed the property in April, May, and August of 2009. Based on those surveys, the associated biological assessment report indicated that "there are no wetlands on the Cortona site, under the Federal three parameter, or under the City's single parameter guidelines" (Tierney; August 14, 2009). Given the conflicting information provided by these experts on the presence of any wetland resources onsite, it must be concluded at this time that project impacts on wetland resources that could possibly be present onsite would be considered potentially significant.

f) There are no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans applicable to the project site nor would the proposed project conflict with any such plans in place in the area (e.g. Ellwood Mesa/Sperling Preserve Open Space & Habitat Management Plan, Lake Los Carneros Natural & Historic Preserve Plan, or the Lake Los Carneros 1999 Updated Management Plan).

Cumulative Impacts

As project specific impacts on coastal sage scrub, coast live oaks, native grasslands, possible wetland resources onsite, and raptor/avian nesting are considered potentially significant, project contributions to cumulative impacts on such biological resources would also be considered potentially significant.

Preliminary Mitigation Measures

1. All grading, trenching, ground disturbance, construction activities and structural development shall occur outside of a six (6) foot buffer around the dripline of all onsite Coast live oak trees identified on the approved project plans for retention a. All plans submitted for approval of any LUP for the project shall identify the buffer measured six (6) feet from the dripline of each protected tree. The plans showing each tree's dripline buffer shall be reviewed and approved by the City's arborist prior to any LUP approval.

a) Prior to the issuance of any building or grading permits for the project, all onsite coast live oaks identified for retention/protection on the approved project plans shall be fenced at or outside of each tree's dripline buffer as approved by the City's arborist. Fencing shall be at least three feet in height of chain link or other material acceptable to City staff and shall be staked every six feet. The applicant shall place signs stating "tree protection area" at 15 foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.

b) Any unanticipated damage to trees or sensitive habitats identified for protection/preservation on the approved LUP plans from construction activities shall be mitigated in a manner approved by City staff. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 ratio, and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation. The required mitigation shall be done under the direction of the City's arborist prior to any further work occurring on site. Any performance securities required for installation and maintenance of replacement trees will be released by City staff after its inspection and approval of such installation and maintenance.

c) To help ensure the long term survival of onsite oaks, no permanent irrigation systems are permitted within six (6) feet of the dripline of any oaks. Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

Plan Requirements and Timing: This condition shall be printed on project plans submitted for LUP approval. Fencing shall be graphically depicted on all project plans submitted for approval of any LUP for the project or issuance of any building or grading permit.

<u>Monitoring</u>: City staff shall review plans and confirm fence installation prior to grading/building permit issuance. City staff shall conduct site inspections to ensure compliance during all grading and construction activities.

2. The applicant shall prepare and implement a plan for the removal of invasive non-native weedy species within the area of coastal sage scrub along the northern property line as well as the area of native grasses at the northwest corner of the project site that are designated to remain undisturbed per the project plans. **Plan Requirements and Timing:** The plan for removal of non-native, invasive weedy species from the area of native grasses at the northwest corner of the project site as well as the area of coastal sage scrub along the northern property line that is designated to be retained shall be prepared by the project biologist and submitted to City staff for review and approval prior to approval of any LUP for the project. All non-native invasive weedy species shall be removed from these ESHAs prior to any occupancy clearance for the apartment building located in the northwest corner of the project site per the approved plans.

Monitoring: City staff shall verify compliance prior to approval of any LUP for the project or occupancy clearance for the apartment building located in the northwest corner of the project site per the approved project plans.

3. The applicant shall prepare and implement a City approved fencing/resource protection plan to protect the native grassland and coastal sage scrub habitats that are designated to remain onsite. **Plan Requirements and Timing:** The plan to fence/protect these resources that are proposed for retention/protection shall be prepared by the project biologist and reviewed and approved by City staff prior to the approval of any LUP for the project.

   Monitoring: City staff shall verify compliance prior to any LUP approval as well as monitor compliance via periodic field inspections for the entirety of project construction.

4. Commencement of any construction/site clearing and preparation activities shall not occur after the beginning of the avian/raptor nesting season generally defined as beginning on February 1st. Construction beginning prior to February 1st may continue since it is assumed that any nesting activity that begins subsequent to the commencement of construction is due to birds/raptors that are acclimated to such disturbances. Two (2) weeks prior to the commencement of any construction and/or site clearing activities, the project biologist shall conduct a site survey to assess the presence of any avian/raptor nesting activity within 500 feet of the project site. Construction/site clearing and preparation activities shall not occur within 500 feet of any active avian/raptor nests identified by this survey. **Plan Requirements and Timing:** The applicant shall submit the name and qualifications of the project biologist that will conduct such survey work to the City for staff review and approval. The results of the survey shall be submitted to the City for staff review and approval prior to the issuance of any grading or building permits for the project.

   Monitoring: City staff shall verify compliance prior to the issuance of any grading/building permits for the project as well as conduct periodic site inspections to verify compliance with any restrictions on construction activity posed by either this mitigation measure and/or the biological survey prepared prior to commencement of project construction.

5. All construction/demolition staging and stockpiling shall be limited to areas outside of the fenced ESHAs onsite. Absolutely no staging and/or stockpiling of any materials shall be allowed within any fenced ESHA at any time. **Plan Requirements & Timing:** These requirements and prohibitions shall be included on all plans submitted for approval of any LUP, building, or grading permit.

   Monitoring: City staff shall verify compliance prior to approval of any LUP for the project

6. During construction, washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the project site to an appropriate receiving facility. **Plan**

Requirements & Timing: A designated wash-out area shall be identified on all plans submitted for any LUP, grading, or building permit and shall be reviewed and approved by City staff prior to approval of any LUP for the project. The approved wash-out area shall be maintained in good condition throughout all construction activities.

Monitoring: City staff shall verify compliance, both prior to approval of any LUP for the project as well as during periodic field inspections during project construction.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall identify the biological resource environmental baseline for the project through at least one site visit and peer review of the submitted biological report prepared by Rachael Tierney Consulting (Tierney; August 14, 2009), the two reports prepared by Katherine Rindlaub (Rindlaub; April 3, 2000 and Rindlaub; November 24, 1998), and tree protection plan prepared by Duke McPherson (McPhearson; August 23, 2009).
2. The EIR consultant shall conduct an updated search of the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory Database for special-status and sensitive “elements” known to occur at or in the vicinity of the site to be used in preparation of the discussion of the project’s biological environmental baseline.
3. The EIR consultant shall conduct a wetland delineation pursuant to the U.S Army Corps of Engineers guidelines. If wetland resources are observed onsite the EIR consultant shall map the boundaries of such resources and discuss their biological functional and value.
4. The EIR consultant shall describe the criteria for determining a project’s impact on biological resources, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City’s *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations and standards relating to protection of biological resources and addressing biological resource impacts.
5. The EIR consultant shall describe and evaluate the significance of all potential project impacts on biological resources using the criteria noted above as well as the information obtained from the peer review or previously filed reports, field investigations and site visits, and database research. This analysis shall also assess the adequacy and feasibility of the proposed tree protection plan (McPhearson; August 23, 009).
6. The EIR consultant shall describe the project’s contribution to cumulative biological impacts. The discussion of cumulative impacts should include the biological impact of project development, taking into account existing and proposed development in the central Hollister area (City staff to provide a list and associated map of cumulative projects in the project area).

7. Based on this impact analysis, the EIR consultant shall assess the adequacy and feasibility of the proposed mitigation measures, including the applicant's plan for mitigating the removal of coastal sage scrub and coast live oaks, as well as identify additional mitigation where appropriate, that would reduce potentially significant impacts to less than significant levels.
8. The EIR consultant shall identify and discuss the significance of the project's contribution to cumulative impacts on biological resources in the area (City staff to provide a list of cumulative projects for this analysis)/
9. The EIR consultant shall prepare a statement of residual impacts based on implementation of all mitigation identified in the EIR.

CULTURAL RESOURCES

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				■	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	■				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				■	
d. Disturb any human remains, including those interred outside of formal cemeteries?	■				

<u>Existing Setting</u>

Prior archaeological investigations on property adjacent to the project site encountered intact archaeological deposits comprising remnants of a previously discovered and extensive site, Sba-54 (Larry Wilcoxon; *Results of a Limited Archaeological Subsurface Testing Program in Conjunction with Future Commercial Development of APN 073-140-016 on Cortona Drive*, February 7, 1998). Sba-54 was originally located on a prominent knoll west of what is now Glen Annie Road and the Southern Pacific Railroad. During its pre-historic occupancy the knoll formed the terminus of a low-lying ridge that extended into Goleta Slough and the mouth of Tecolotito Creek. Although the knoll was periodically isolated as an island, alluviation and siltation of the creek moved its confluence with the slough southward until in time the knoll was surrounded by flat terrain. Sba-54 was first recorded and excavated in the 1920's (Rogers, 1929) who classified the site as an Oak Grove occupation site. Later investigations classified the site as Hunting People occupation site (Harrison & Harrison, 1966). More recently, Sba-54 was classified as an Early Period site of the Santa Barbara Channel pre-historic period (King; 1990).

While construction of the Southern Pacific Railroad in 1887 may have impacted the site, it is now known that the most significant disturbance to the site occurred in 1961 when the knoll was excavated down approximately 25 feet for a future housing development (Wilcoxon, 1998). Additional impacts occurred with the widening/realignment of the Storke/Glen Annie/101 interchange. A Phase I archaeological survey prepared by Caltrans for that widening/realignment project noted that a "narrow scatter of cultural material possibly associated with Sba-54" lies near of the project site (Wilcoxon; 1998).

Thresholds of Significance

A significant impact on cultural resources would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additional thresholds are contained in the City's *Environmental Thresholds & Guidelines Manual*. The City's adopted thresholds indicate that a project would result in a significant impact on a cultural resource if it results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of such a resource would be materially impaired.

Project Specific Impacts

a) As the project site is undeveloped, there are no State or locally listed or eligible historic structures or resources onsite. Therefore, project implementation would not result in any impact on such resources in the City.

b,d) Prior archaeological investigations in the area encountered intact archaeological deposits comprising remnants of Sba-54 on the project site within a narrow, arc-shaped band circling the former base of the knoll believed to be the original occupation site of Sba-54 (Wilcoxon; 1998). Shell fragments and debitage (the waste material produced during the production of chipped stone tools) were found on other portions of the site as well but they appear to have been re-deposited in alluvium and/or subsequent fill (Wilcoxon; 1998). Of the 21 trenches excavated by Wilcoxon in 1998, six encountered *in situ* cultural deposits within this band that prehistorically encircled the knoll. Such resources are considered potentially significant (Wilcoxon; 1998). Per the proposed site plan, construction of at least one of the proposed buildings, a two-story 12 unit structure, and associated infrastructure, parking, and drive aisles, would occur within the area comprising this roughly arc-shaped band of mostly intact remnants of Sba-54. As such, project construction could result in both potentially significant direct impacts (affecting the spatial integrity of artifacts through grading and construction) as well as potentially significant indirect impacts (spatial disruption of artifacts through erosion, change in chemical composition, or unauthorized collection).

Although no human remains have been encountered in previous archaeological investigations onsite, given the proximity of the site to the center of what was an important prehistoric habitation site, the potential for human remains onsite cannot be completely ruled out. Therefore, project impacts on both archaeological resources as well as the potential to disturb previously unknown human remains onsite is considered potentially significant.

c) There are no unique paleontological resources or sites, or unique geologic features on the project site. No such impacts to these types of resources would occur as a result of project implementation.

Cumulative Impacts

As the proposed project is considered to pose potentially significant, site specific impacts to archaeological/cultural resources, its contribution to cumulative impacts on these resources within the City is considered potentially significant as well.

Preliminary Mitigation Measures

Mitigation measures to address potentially significant impacts archaeological/cultural resources pursuant to CEQA and the City's thresholds shall be identified and evaluated determined as part of the scope-of-work for the project EIR.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant peer review the Wilcoxon report (Wilcoxon; February 7, 1998), review all archaeological/cultural resource surveys and reports on file with the Central Coast Information Center at the UCSB for the area in the vicinity of the project site, and conduct at least one site visit to identify the archaeological/cultural environmental baseline for the project.
2. The EIR consultant shall to determine if additional survey work in the area is necessary to accurately establish the environmental baseline for the project.
3. The EIR consultant shall confer with all interested Native American representatives to discuss the adequacy of the data already complied and need for any additional field work to fully establish the environmental baseline for the project.
4. The EIR consultant shall identify the applicable regulatory framework for archaeological/cultural resources and impacts, including any applicable Federal, State, or local regulations and standards.
5. The EIR consultant shall describe the criteria for determining a project's impact on archaeological/cultural resources, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations and standards relating to protection of archaeological/cultural resources and addressing archaeological/cultural resource impacts.
6. The EIR consultant shall identify and describe the potential project specific impacts to archaeological/cultural resources as well as assess the significance level of each identified impacts based on peer review of prior surveys, data collected from the data research effort, information from the consultation with interested Native American parties, and any additional field work conducted by the consultant.

7. The EIR consultant shall describe the project's contribution to cumulative impacts on archaeological/cultural resources. The discussion of cumulative impacts should include the impact of project development, taking into account existing and proposed development in the City (City staff shall provide a list and associated map of cumulative projects within the City).
8. The EIR consultant shall identify feasible mitigation measures that are capable of reducing potentially significant project impacts on archaeological/cultural resources to less than significant levels. If certain project impacts to such resources cannot be feasibly mitigated, the EIR consultant shall identify those impacts and provide a detailed discussion as to why mitigation to less than significant levels is not feasible.
9. The EIR consultant shall prepare a statement of residual impacts based on implementation of all mitigation identified in the EIR.

GEOLOGY AND SOILS

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			■		
ii. Strong seismic ground shaking?			■		
iii. Seismic-related ground failure, including liquefaction?			■		
iv. Landslides?			■		
b. Result in substantial soil erosion or the loss of topsoil?		■			
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			■		
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		■			

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				■	

Existing Setting

The project site is relatively flat and generally slopes from the northwest to the southeast between 1% and 3%. Surface runoff is typically to the south and east and sheet-flow in nature. Ground water has been found at depths of 15 to over 21.5 feet below grade (Hoover & Associates; *Preliminary Soil Engineering & Geologic Hazards Evaluation, 8.82 Acre Bermant Parcel*, dated January 23, 1998). Because groundwater was encountered in borings at elevations of between 15 and 20 higher than the groundwater elevations of monitoring wells on adjacent parcels, it is assumed that groundwater onsite is perched and confined or semi-confined aquifer onsite (Hoover & Associates, 1998). The project site is comprised of a sedimentary sequence of younger and older alluvium and the Santa Barbara Formation. The alluvial sequence is bounded on the north by the foothills of the Santa Ynez Range while the underlying basis is bounded on the south by the More Ranch Fault and smaller east/west trending faults. The is some dispute as to whether or not the More Ranch Fault is active seismically (Hoover & Associates; 1998), but the nearest confirmed, seismically active fault to the project site is the North Channel Slope Fault located four miles offshore. The closest Alquist-Priolo mapped earthquake fault is over 20 miles to the southeast (Pitas Point/Red Mountain Faults). Four geologic units are exposed at the surface on the project site: Santa Barbara Formation which is of a marine origin composed of unconsolidated sand, silt, and clay; Older Alluvium comprised of upper Pleistocene-age stream alluvium and slough deposits; Younger alluvium of a similar composition to the Older alluvium but of different density; and artificial fill deposited onsite as part of the Caltrans project to widen the Storke Road/Highway 101 interchange.

Thresholds of Significance

A significant impact on geology/soils would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. The City's *Environmental Thresholds and Guidelines Manual* assumes that a proposed project would result in a potentially significant impact on geological processes if the project, and/or implementation of required mitigation measures, could result in increased erosion, landslides, soil creep, mudslides, and/or unstable slopes. In addition, impacts are considered significant if the project would expose people and/or structures to major geological hazards such as earthquakes, seismic related ground failure, or expansive soils capable of creating a significant risk to life and property.

Project Specific Impacts

a,c) Based on the geologic hazards assessment prepared by Hoover & Associates (1998) and a review of geologic hazards mapping in the City's General Plan, no active or potentially active faults are located onsite. There is an unnamed, inactive fault trending northwest to southeast approximately 400 feet to the south of the project site and the northern branch of the More Ranch Fault is located approximately ¾ miles to the south. Severe ground shaking during earthquakes is a hazard endemic to most of California, and all project construction would be subject to compliance with the seismic safety standards of the California Uniform Building Code Zone 4 which has been adopted by the City. Given the depth of the perched groundwater and the clayey nature of the near-surface soils, liquefaction is considered unlikely at the project site during a severe ground-shaking event. Although areas of un-engineered fill exist either onsite or in close proximity, the relative flat topography of the subject property render the threat of landslides and slope instability as less than significant geological risks. Retaining walls as high as six (6) feet are proposed along the western property line to address existing grade differentials and prevent future slope stability problems in these areas. The potential for subsidence and/or collapse of areas of un-engineered fill would be addressed through foundation design. As such, geologic hazards posed by seismicity or unstable soils are considered less than significant.

b) Site grading and soil disturbance associated with construction of buildings, roadways, walkways, parking areas, utilities, drainage improvements and landscaping could temporarily increase erosion from the site causing increased silt in the surface water runoff and/or wind blown fugitive dust. Such erosion impacts are considered potentially significant.

d) As noted in the discussion of the geological setting for the project, expansive clays are located onsite. Potential risks posed by these soils due to soil expansion and contraction and soil movement can threaten the structural integrity of building foundations, water and sewer lines, underground utility lines/conduits, and other utility installations. As such, potential geological hazards posed by onsite expansive soils are considered potentially significant.

e) The proposed residential project would be served by Goleta West Sanitary District. Therefore, the project poses no adverse geological hazard associated with the use of onsite septic systems.

Cumulative Impacts

As erosion and exposure to structural risks posed by expansive soils onsite are considered potentially significant, project specific geological hazards, the project's contribution to cumulative erosion and expansive soils risk in the City would also be considered potentially significant. All other project related geological hazards are considered less than significant, both from a project specific as well as a project contribution to cumulative geological hazards perspective.

Preliminary Mitigation Measures

1. All grading and earthwork recommendations from the project geotechnical and soils reports, including any updates, shall be incorporated into the final project design, including the final grading, foundation, utility, and infrastructure plans. All grading activities shall be supervised by a registered civil engineer or certified engineering geologist. **Plan Requirements and Timing:** Final grading, foundation, utility, and infrastructure plans shall be reviewed and approved by City staff prior to approval of any LUP for the project.

   Monitoring: City staff shall verify compliance prior to any LUP approval as well as during all grading and construction activities.

1. The final grading, drainage and erosion control plans shall be designed to minimize erosion. **Plan Requirements:** The plans shall include, but not be limited to, the following:

   a) Best management practices (BMPs), such as temporary berms and sedimentation traps (such as silt fencing, straw bales, and sand bags), shall be installed in association with project grading. The BMPs shall be placed at the base of all cut/fill slopes and soil stockpile areas where potential erosion may occur and shall be maintained to ensure effectiveness. The sedimentation basins and traps shall be cleaned periodically and the silt shall be removed and disposed of in a location approved by the City.
   b) Non-paved areas shall be revegetated or restored (i.e. geotextile binding fabrics) immediately after grading and installation of utilities, to minimize erosion and to re-establish soil structure and fertility. Revegetation shall include non-invasive, drought-resistant, fast-growing vegetation that would quickly stabilize exposed ground surfaces. Alternative materials rather than reseeding (e.g., gravel) may be used, subject to review and approval by Planning and Environmental Services and Community Services.
   c) Runoff shall not be directed across exposed slopes. All surface runoff shall be conveyed in accordance with the approved drainage plans, including conveyance of roof runoff to landscaped areas to minimize peak stormwater flows entering and leaving the proposed stormwater detention system.
   d) Energy dissipaters or similar devices shall be installed at the end of drainpipe outlets to minimize erosion during storm events.
   e) Grading shall occur during the dry season (April 15th to November 1st) unless a City approved erosion control plan is in place and all erosion control measures are in effect. Erosion control measures shall be identified on an erosion control plan and shall prevent runoff, erosion, and siltation. All exposed graded surfaces shall be reseeded with non-invasive ground cover vegetation to minimize erosion. Graded surfaces shall be reseeded within four (4) weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within four (4) weeks of grading completion.

f) Site grading shall be completed such that permanent drainage away from foundations and slabs is provided and so that water shall not pond near proposed structures or pavements.

g) All measures identified in the City approved project geology and soils reports shall be included on the project plans. The applicant shall submit sign-offs by the geology/soils report preparer(s) (geologist/engineer) confirming that applicable measures have been incorporated into the project plans, consistent with report recommendations.

Timing: Final grading, drainage, and erosion control plans shall be reviewed and approved by the City prior to any LUP approval. Any required soils/geology/engineering reports (such as, but not limited to foundation design reports for structures) shall be referred to prior to approval of final grading, drainage and erosion control plans to ensure that all applicable report recommendations have been incorporated into the project plans. BMPs and erosion control measures shall remain in place/shall be implemented for the duration of grading and construction, except where such measures are long-term operational measures to be implemented for the life of the project. The requirement for long-term implementation of specific BMPs/erosion control measures shall be specified on the project plans.

Monitoring: City staff shall verify compliance prior to approval of any LUP for the project and during grading and construction activities.

Residual Impact

With implementation of the aforementioned mitigation measures, residual project specific erosion impacts, as well as residual project contributions to cumulative erosion impacts within the City would be less than significant.

EIR Scope-of-Work

1. The EIR consultant shall peer review the Hoover & Associates; *Preliminary Soil Engineering & Geologic Hazards Evaluation,* dated January 23, 1998 and determine if further geotechnical assessment is warranted to establish the geology/soils environmental baseline for the project.
2. The EIR consultant shall identify any applicable regulatory framework for geological/soils impacts and geological hazards/risks, including any applicable Federal, State, or local regulations and standards.
3. The EIR consultant shall describe the criteria for determining a project's impact on soils and geological processes, including exposure to geological hazard risks, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations and standards relating to geology/soils and geological hazards and associated impacts.
4. The EIR consultant shall identify and discuss the significance of any project related geological/soils impacts and/or exposure of people and structures to geological hazards based on the criteria noted above.

5. The EIR consultant shall identify and discuss the significance of any project contributions to cumulative geological/soils impacts and/or geological hazards/risks (City staff shall provide a list and associated map of cumulative projects within the City).
6. The EIR consulting geologist shall evaluate the adequacy of the mitigation measures described in the initial study as well as identify any appropriate, additional mitigation measures that would reduce potential significant geological impacts/risks to less than significant levels.
7. The EIR consultant shall provide a statement of residual impact based on implementation of all mitigation identified in the EIR.

GREENHOUSE GAS EMISSIONS

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	■				
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				■	

The analysis provided in this section is derived from information available from various state agencies, boards, and associations. Sources include:

- CAPCOA – California Air Pollution Control Officers Association; *CEQA & Climate Change; January 2008*
- CARB – California Air Resources Board (ARB*); Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, Preliminary Draft Staff Proposal; October 24, 2008*
- Department of Justice, Office of the California Attorney General; *Global Warming Measures; December 9, 2008*
- Governor's Office of Planning and Research; *CEQA and Climate Change – Addressing Climate Change through California Environmental Quality Act Review; June 2008*
- Governor's Office of Planning and Research; *OPR Proposed CEQA Guidelines Amendments; April 2009*
- ICF Jones and Stokes; *Goleta General Plan/Coastal Land Use Plan Supplemental Environmental Impact Report; July 2009*
- Sacramento Metropolitan Air Quality Management District; *CEQA Guide – June 2009*

Background

International and Federal legislation has been enacted to deal with climate change issues. The Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. In 1988, the United Nations and the World Meteorological Organization established the Intergovernmental Panel on Climate Change (IPCC) to assess the scientific, technical, and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation. The IPCC consists of 600 scientists from 40 countries. In February 2007, it issued a report on global climate change stating that they are about 90% certain that people are the primary cause of global warming. The report also states that global atmospheric concentrations of carbon dioxide, methane, and nitrous oxide have significantly increased since pre-industrial times (1750); that warming of the climate system is unequivocal; and that changes in climate are now affecting physical and biological systems on every continent.

The IPCC's best estimates are that the average global temperature rise between years 2000 and 2100 could range from 0.6 degrees Celsius (1.08 degrees Fahrenheit) with no increase in GHG emissions above 2000 levels, to 4.0 degrees Celsius (7.2 degrees Fahrenheit) with a substantial increase in GHG emissions (IPCC, 2007). Large increases in global temperatures could have massive deleterious impacts on the natural and human environments.

According to the EPA, a GHG is any gas that absorbs infrared radiation in the atmosphere. This absorption traps heat within the atmosphere creating a greenhouse effect that is slowly raising global temperatures. California state law defines GHG to include the following: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Health and Safety Code, Section 38505g). Many human activities add to the levels of most of these naturally occurring gases. CO_2 is released into the atmosphere when solid waste, fossil fuels (oil, natural gas, and coal), and wood and wood products are burned. N_2O is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuels. CO_2 and N_2O are the two GHGs released in greatest quantities from mobile sources burning gasoline and diesel fuel. Methane, a highly potent GHG, results from off-gassing associated with agricultural practices and landfills, as well as other sources.

Climate change could impact the natural environment in California in the following ways, among others:

- Rising sea levels along the California coastline;
- Extreme-heat conditions, such as heat waves and very high temperatures, which could last longer and become more frequent;
- An increase in heat-related human deaths, an increase in infectious diseases, and a higher risk of respiratory problems caused by deteriorating air quality;
- Reduced snow pack and stream flow in the Sierra Nevada mountains, affecting winter recreation and water supplies;
- Potential increase in the severity of winter storms, affecting peak stream flows and flooding;

- Changes in growing season conditions that could affect California agriculture, causing variations in crop quality and yield; and
- Changes in distribution of plant and wildlife species due to changes in temperature, competition from colonizing species, changes in hydrologic cycles, changes in sea levels, and other climate-related effects.

These changes in California's climate and ecosystems could occur at a time when California's population is expected to increase from 34 million to 59 million by the year 2040 (California Energy Commission, 2005). As such, the number of people potentially affected by climate change, as well as the amount of human-related GHG emissions, is expected to significantly increase. Similar changes would also occur in other parts of the world, with regional variations in resources affected and vulnerability to adverse effects.

Worldwide, California is estimated to be the 12th to 16th largest emitter of CO_2 and is responsible for approximately 2% of the world's CO_2 emissions. California is the second largest emitter of GHG emissions in the United States (behind Texas). In 2004, California's gross GHG emissions were 492 million metric tons (MMT) of CO_2 equivalent (CO_2e) (California Energy Commission, 2006).

Evolving Regulatory Setting

In 2005, Governor Arnold Schwarzenegger issued California Executive Order S-3-05 establishing the following emission targets for California: 1) reduce GHG emissions to 2000 levels by 2010; 2) reduce GHG emissions to 1990 levels by 2020; and 3) reduce GHG emissions to 80 percent below 1990 levels by 2050. Executive Orders are binding on State agencies. Accordingly, S-3-05 will guide State agencies' efforts to control and regulate GHG emissions but will have no direct binding effect on local efforts.

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide greenhouse gas (GHG) emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 also includes guidance to institute emission reductions in an economically efficient manner and conditions to ensure that businesses and consumers are not unfairly affected by the reductions. AB 32 demonstrates California's commitment to reducing the rate of GHG emissions and the State's associated contribution to climate change, without intent to limit population or economic growth. Although AB 32 did not amend CEQA, it identifies the environmental problems in California caused by global warming (Health and Safety Code, Section 38501a).

Senate Bill (SB) 97, enacted in 2007, amends the CEQA statute to establish that GHG emissions and their effects are a prominent environmental issue that requires analysis under CEQA. This bill directed OPR to prepare, develop, and transmit to the California Natural Resources Agency (Resources Agency) guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. The Natural Resources Agency is required to certify or adopt those guidelines by January 1, 2010. On April 13, 2009, OPR submitted to the Resources Agency proposed amendments to the state CEQA Guidelines for GHG emissions. These proposed CEQA Guideline amendments provide guidance to lead agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents.

As an interim step toward development of required guidelines, OPR published a technical advisory entitled, *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review*, in June 2008. OPR recommends that lead agencies make a good-faith effort, based on available information, to estimate the quantity of GHG emissions that would be generated by a proposed project, and to mitigate the impacts where feasible. OPR acknowledges in this document that the most difficult part of the climate change analysis will be the determination of significance. OPR also asked the California Air Resources Board (CARB) technical staff to recommend a method for setting thresholds which would encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout the state.

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions required by AB 32. The *Proposed Scoping Plan* contains the main strategies California will implement to achieve a reduction of 169 million metric tons (MMT) of carbon dioxide equivalent (CO_2e), or approximately 30% from the State's projected 2020 emission level of 596 MMT of CO_2e under a business-as-usual scenario. The *Proposed Scoping Plan* states that land use planning and urban growth decisions will play an important role in the State's GHG reduction efforts since local governments have primary authority to plan, zone, approve, and permit how land is developed to accommodate population growth and the changing needs of their jurisdictions. The CARB further acknowledges that decisions on how land is used will have large impacts on the GHG emissions that will result from transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emission sectors. The *Proposed Scoping Plan* was approved by the CARB on December 11, 2008.

In addition to the *Proposed Scoping Plan*, the CARB has also released the *Preliminary Draft Staff Proposal: Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act* (C*ARB Draft Staff Proposal*). The C*ARB Draft Staff Proposal* includes potential interim performance standards for project types and emissions sources including construction, energy, water use, waste, transportation, and total mass GHG emissions. Specific thresholds and performance criteria for these categories have yet to be developed.

SB 375 was signed in September 2008 and aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS), which will prescribe land use allocation in that MPO's Regional Transportation Plan (RTP). It also establishes new streamlining opportunities for compatible projects under CEQA. SB 375 will likely take several years to become fully implemented due to the complex relationship between state, regional, and local agencies. First, the State must develop the modeling guidelines and the GHG regional reduction targets, then regional agencies must develop their sustainable communities strategies. Only after the state and regional agencies accomplish their SB 375 responsibilities will cities and counties be required to bring their housing elements into conformity and be able to take advantage of the new CEQA streamlining tools.

Thresholds of Significance

The California Global Warming Solutions Act of 2006 (Assembly Bill 32, Health and Safety Code Section 38500 et. seq.) requires reduction of California's GHG emissions to 1990 levels by 2020. The California Air Resources Board has established this 1990 level at 427 million metric tons of CO_2 equivalent emissions as an attainment goal. Pursuant to AB 32 and other related legislation, various actions have established plans and regulations that identify emission limits and reduction measures.

On December 30, 2009, the Secretary for Natural Resources adopted amendments to the State CEQA Guidelines that address greenhouse gas emissions. On February 16, 2010, the Office of Administrative Law filed the amendments with the Secretary of State. The amendments are effective as of March 18, 2010.

Establishment of thresholds at the state and/or local level has been a point of discussion and analysis by various agencies and boards (i.e., OPR, CARB, CAPCOA [California Air Pollution Control Officers Association]). Information has been presented on various scenarios including no thresholds, a zero threshold, and a non-zero threshold. Values for a non-zero threshold vary and include the factoring in of performance standards as well as a quantitative threshold in determining significance.

The CARB has been requested by the Governor's Office of Planning and Research to make recommendations for GHG-related thresholds of significance. Consistent with this request, the CARB released a *Preliminary Draft Staff Proposal* in October 2008 (*Draft Staff Proposal*), which represents the first step toward developing recommended statewide interim thresholds of significance for GHGs that may be adopted by local agencies for their own use. The *Draft Staff Proposal* focuses on common project types, including industrial, residential, and commercial projects. The collective greenhouse gas emissions from these sectors, together with the transportation sector, represent approximately 80% of the statewide greenhouse gas emissions inventory in 2004. CARB staff believe that thresholds in these important sectors would advance climate objectives, would streamline project review, and would encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout the State.

A significant effect on the environment means a substantial, or potentially substantial, change in the environment cause directly or indirectly by the project. The incremental effect of a project can be significant when it is cumulatively considerable; that is, when the effect is added to that of other past, present, and reasonably foreseeable future projects that also contribute to the problem (State CEQA Guidelines, 2009).

CARB staff believe that for the sectors evaluated in the *Draft Staff Proposal*, non-zero thresholds can be supported by substantial evidence. Zero thresholds are not recommended because: 1) some level of emissions in the near term and at mid-century would still be consistent with climate stabilization; and 2) current and anticipated regulations and programs apart from CEQA, will proliferate and increasingly reduce the GHG contributions of past, present, and future projects.

Any non-zero threshold must be sufficiently stringent to make substantial contributions to reducing the State's GHG emission peak, to causing that peak to occur sooner, and to putting California on track to meet its interim (2020) and long-term (2050) emissions reductions targets. CARB staff believe that the preliminary interim approaches outlined in their *Draft Staff Proposal* are consistent with these objectives. The approach relies on an industrial project meeting performance standards (or equivalent mitigation) for construction-related and transportation-related emissions, and with mitigation, emissions of no more than 7,000 metric tons of CO_2e/year from non-transportation sources. Residential and commercial projects would also be required to meet performance standards (or equivalent mitigation) for construction-related and operations-related emissions with performance standards or equivalent mitigation emitting no more than an amount of CO_2e/year that is still being developed (CARB, *Draft Staff Proposal*, 2008).

CAPCOA's *CEQA and Climate Change, 2008* looked at options for GHG thresholds. Quantitative thresholds were studied based on capture of 90% or more of likely future discretionary development emissions. The objective was to set the emission threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that would contribute a relatively small fraction of the cumulative statewide GHG emissions. A 900 metric tons/year threshold was selected based on an analysis that included data from four diverse cities (Los Angeles, Pleasanton, Dublin, and Livermore). This threshold would apply to industrial, residential, and commercial projects, but it is noted that any adoption of such a threshold would require further investigation. The CAPCOA document also looked at other possible thresholds, including zero thresholds, CARB reporting thresholds, and efficiency-based thresholds, among others. CAPCOA notes that this document is considered a "white paper" and is intended as a resource and not a guidance document.

OPR indicates that a lead agency should make a good faith effort, based on available information, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. While numerous threshold options have been discussed in various publications, at this time, neither the State of California, nor the Santa Barbara County APCD, nor the City of Goleta have established or adopted CEQA significance thresholds/screening tables for GHG emissions.

Project Specific and Cumulative Impacts

There are a number of modeling tools that can be used to estimate GHG emissions associated with various project types. The most consistently used model for estimating a project's direct impacts is the Urban Emissions Model (URBEMIS). URBEMIS is designed to model emissions associated with development of urban land uses and attempts to summarize criteria air pollutants and CO_2 emissions that would occur during construction and operation of new development. This model is publicly available and widely used by CEQA practitioners and air districts, including the CARB. Use of this model would ensure consistency statewide in how CO_2 emissions are modeled and reported from various project types (CAPCOA, 2008).

The URBEMIS model does not contain emission factors for GHGs other than CO_2, except for methane from mobile sources, which is converted to CO_2e. This may not be a major problem since CO_2 is the most important GHG from land development projects (CAPCOA, 2008). It also constitutes approximately 84% of all GHG emissions in

California and is considered a “reference gas” for relating the amount of heat absorbed to the level of GHGs emitted.

The URBEMIS model also does not calculate GHGs associated with consumption of energy produced offsite (indirect impacts) and may in some instances, result in the double counting of “linked” trips (i.e., the concept that a residential trip and a commercial trip are quite possibly the same trip, resulting in “double-counting”). However, as noted above, this model is still considered appropriate. Therefore, the City’s methodology for quantifying GHG emissions relies upon the URBEMIS 2007 9.2.4 air quality modeling software, which is the most current version available.

a,b) *Project Short-term Construction Emissions*

Project construction activities, especially those associated with heavy equipment operations for grading, would contribute to cumulative GHGs and global climate change. The use of heavy trucks, excavators, graders, and smaller equipment as well as unnecessary idling of that equipment, and the transportation of construction workers and materials during the work week to and from the site over months would result in emission of combustion related GHG pollutants. For the proposed project it is anticipated that project construction generated CO_2 emission levels (unmitigated) would be 7,113.83 lbs/day or 3.23 metric tons per day (equivalent to a yearly emission rate of 1,179 metric tons per year).

Project Long-term Operational Emissions

Emission of combustion related pollutants would occur during project operation from such sources as project-generated traffic, consumption of fossil fuels for water and space heating systems, and other activities such as landscape maintenance and HVAC system leaks. Direct long-term operational CO_2 emissions for the proposed project are estimated at 9,135.74 lbs/day or 4.14 metric tons/day (1,511 metric tons per year).

Indirect long-term emissions associated with the proposed project would include energy consumed offsite in order to service the project (such as at utility providers associated with the project’s energy and water demands). For projects of this scale, these indirect emissions are expected to be minor and incremental, would not require the construction of any new utility facility, and would not conflict with programs that utility providers have adopted in order to reduce GHG contributions.

Project Significance

The City of Goleta has not yet adopted any thresholds of significance for short-term or long-term greenhouse gas related impacts. The Santa Barbara County Air Pollution Control District has also not adopted any thresholds of significance. In June 2010, the Bay Area Air Quality Management District became the first regulatory agency in the nation to approve guidelines that establish thresholds of significance for GHG emissions. Thresholds are set at 1,100 metric tons per year for non-stationary sources and 10,000 metric tons per year for stationary sources (BAAQMD; June 2010). Given the preliminary GHG calculations noted above for the proposed project, GHG emissions are considered potentially significant, pending a more detailed scientific and comparative analysis.

Preliminary Mitigation Measures

1. Energy conservation measures shall be included in the project. **Plan Requirements:** The following energy-conserving techniques, that substantially exceed the minimum Title 24 energy conservation requirements, shall be incorporated unless the permittee demonstrates their infeasibility and/or inapplicability to the satisfaction of City staff:

    a) Use of photovoltaic systems;
    b) Duct systems shall maintain a thermal envelope via insulation to R-8;
    c) Passive cooling strategies such as passive or fan aided cooling plan designed into the structure and/or a roof opening for hot air venting or installation of underground cooling tubes;
    d) High efficiency outdoor lighting and/or solar powered lighting;
    e) Installation of air conditioners and refrigeration units that use non-ozone depleting chemicals;
    f) Installation of low NO_x residential water heaters and space heaters meeting the minimum efficiency requirements of applicable APCD rules;
    g) Installation of Energy Star roofs, furnaces, and appliances;
    h) Use of water-based paint on exterior surfaces;
    i) Use of solar-assisted water heating for swimming pools and tankless hot water on demand systems if their energy efficiency is demonstrated to exceed that of a central storage tank water heating system;
    j) Use of passive solar cooling/heating;
    k) Use of energy efficient appliances;
    l) Use of natural lighting;
    m) Installation of energy efficient lighting;
    n) Provide education on energy efficiency;
    o) Use of water-efficient landscapes; water-efficient irrigation systems and devices; and use of reclaimed water (if available);
    p) Installation of cool pavements;
    q) Encouragement of the use of transit, bicycling, and walking by providing infrastructure to promote their use;
    r) Provision of segregated waste bins for recyclable materials;
    s) Zero waste/high recycling standards; and
    t) Prohibition against the installation and use of wood burning fireplaces.

    Timing: These requirements shall be shown on plans prior to LUP and/or building permit issuance.

    <u>Monitoring</u>: Staff shall verify compliance prior to final inspection.

2. The permittee shall ensure that the project meets the intent of the U.S. Green Building Council’s criteria for certification using the appropriate LEED rating

system at the "Certified" level or higher. The following items shall be provided to verify compliance:

a) The appropriate LEED rating system checklist demonstrating that the project meets the selected LEED rating system at the "Certified" level or higher.
b) Proof that a LEED accredited professional is part of the project design team.
c) A signed declaration from the LEED accredited professional member of the project team stating that the plans and plan details have been reviewed and that the plans meet the intent of the criteria for certification of the appropriate LEED rating system at the "Certified" level or higher.
d) A complete set of plans stamped and signed by a licensed architect or engineer that includes a copy of the checklist and aforementioned signed declaration, and identifies the measures being provided for LEED compliance.

Plan Requirements and Timing: The checklist shall be copied onto a plan sheet and included in the plan index and submitted prior to LUP issuance and prior to building permit issuance.

Monitoring: The City shall verify compliance prior to final inspection.

Other preliminary mitigation measures for reduction of greenhouse gas emissions are described in the Air Quality and Traffic/Transportation sections.

Residual Impact

To be determined.

EIR Scope of Work

1. The EIR consultant shall verify/update the project's environmental GHG/climate change baseline.
2. The EIR consultant shall describe the criteria for determining a project's contribution to cumulative GHG emissions/climate change impacts, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to GHG emissions/climate change.
3. The EIR consultant shall verify/update project short-term construction emissions estimates for greenhouse gases using the most appropriate and up-to-date air quality modeling software.
4. The EIR consultant shall verify/update project long-term operational emissions estimates (energy consumption, transportation, waste) for greenhouse gases using the most appropriate and up-to-date air quality modeling software.
5. The EIR consultant shall determine the significance level of project generated greenhouse gas emission contributions to cumulative GHG emissions/climate change using the most up-to-date and widely accepted science as the time of the analysis (City staff shall provide a list and associated map of cumulative projects within the City).

6. The EIR consultant shall identify appropriate mitigation measures (including measures already included to address other short-term and operational air quality impacts).
7. The EIR consultant shall prepare a statement of residual impact based on implementation of all mitigation identified in the EIR.

HAZARDS AND HAZARDOUS MATERIALS

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		■			
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	■				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			■		
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	■				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			■		
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				■	
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				■	

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?		■			

Existing Setting

As noted above, the project site was part of a much larger agricultural operation associated with the Bishop Ranch up until the mid 1960's. No Phase I environmental assessment of the project site has as of yet been conducted but given the property's past history in agricultural production it is possible that hazardous agricultural chemicals may have been used and/or stored onsite.

The project site is surrounded on its east, west, and south sides by existing business park development involved in technology development and defense systems analysis, development of radiation sensors, manufacture semiconductors and related devices, and development of state-of-the-art electronics, mission systems integration and other capabilities in the areas of sensing, command, control, communications and intelligence systems, and a broad range of mission support services. All these firms have hazardous material business plans on record with the County Fire Department and do store and use hazardous materials and chemicals that if accidently released, could pose a threat to nearby residences.

The project site lies immediately south of the Union Pacific Railroad tracks. The railroad carries passenger cars as well as freight trains. Some freight trains may carry hazardous materials. Issues associated with the site's proximity to the railroad involve the potential for an accident (a derailment in particular) that could result in release of hazardous material or ignite a fire. The associated public health risk depends upon the materials released during an accident, the toxicity of the materials, and the wind direction that may carry the emissions from the release toward any occupied uses.

Finally, the proposed apartment complex would be located less than 200 feet south of the U.S. Highway 101 travel corridor. As noted in the discussion of Air Quality above, such proximity to heavily traveled transportation corridors is believed by many scientists to pose significant health risks, especially to children due to exposure of diesel particular matter.

Thresholds of Significance

A significant impact with regard to hazards and hazardous materials would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, the City's *Environmental Thresholds and Guidelines Manual* addresses public safety impacts resulting from involuntary exposure to hazardous materials. These thresholds focus on the activities that include the installation or modification to facilities that handle hazardous materials, transportation of hazardous materials, or non-hazardous land uses in proximity to hazardous facilities. Since the proposed project is not a hazardous materials facility, the City's risk based thresholds are not particularly applicable. However, for the purposes of this analysis, the proposed project would be considered to pose a significant impact if it results in the exposure of people to a variety of hazards or hazardous materials as listed above.

<u>Project Specific Impacts</u>

a) The proposed project includes a large community pool and spa as well as extensive landscaping. To maintain these amenities, project maintenance staff will have to store and use a variety of pool chemicals as well as fertilizers, herbicides, and pesticides. Without proper precautions in place, the use and/or disposal of such chemicals could expose residents as well as the public and the environment to these types of hazardous materials. Such risks are considered potentially significant.

b) Freight trains traveling along the Union Pacific railroad adjacent to the project site may carry hazardous materials. These materials may be released during rail accidents. Public health risk depends upon the materials released during an accident, the toxicity of the materials, and the wind direction that may carry the emissions from the release toward any occupied uses. The prevailing meteorology would affect the rate of dilution and the direction of transport of any gaseous or volatilized materials. Upset may also entail possible explosion of highly volatile materials. Because the closest proposed homes would be as close as 120 feet from the railroad tracks, explosion and fire could also pose a health risk in addition to an inhalation risk from volatile hazardous materials. There are also fuel pipelines within the railway right-of-way that could also be ruptured during an accident. Such hazards are considered potentially significant.

c) The closest school to the project site is Dos Pueblos High School (DPHS), located approximately 0.4 miles to the northwest. Given the intervening distance between DPHS and the project site, potential impacts on the high school resulting from any accidental release of hazardous chemicals and/or materials onsite would be considered less than significant.

d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, the property was formerly used for agricultural production as part of the Bishop Ranch and therefore could have experienced the use and/or onsite storage of agricultural chemicals. Therefore, the possible presence of hazardous agricultural chemicals onsite would be considered a potentially significant hazards risk.

Radon gas studies performed by the California Bureau of Mines and Geology and the Department of Health Services from 1989-1993 indicate that Santa Barbara County falls within the a Zone 1 designation, which suggests that there is a low to moderate potential for exposure to Radon gas at or above the EPA recommended level of 4.0 pico curies per liter (pci/L) (Village @ Los Carneros Final EIR, 07-EIR-001). Radon is an odorless and tasteless naturally occurring gas that has been linked to lung cancer. Radon exists in all soils throughout the United States and is produced from the breakdown of naturally occurring radium and uranium within the ground. Potential health risks posed by possible exposure of residential units to radon levels above 4.0 pci/L are considered potentially significant.

e,f) The project site is not located near a private airstrip, but is located within two (2) miles of the Santa Barbara Municipal Airport. However, the property is not located within any of the airport's approach or clear zones and is not subject to review by the Airport Land Use Commission. Therefore, the project would not be exposed to any significant airport safety hazards.

g) Given the project's location within the urban area and outside of the tsunami run-up area or any flood hazard area, the project site is not within any adopted emergency response or evacuation plan.

h) The project is located in the urban area of Goleta and outside of the high fire hazard area. However, existing areas of coastal sage scrub/coyote brush along the north and west property boundaries are considered flammable and subject to Fire Department fuel modification/defensible space requirements. Therefore, associated impacts from exposure to wildland fire hazards would be considered potentially significant.

Cumulative Impacts

As the project site is subject to a potentially significant hazards risk resulting from its proximity to the railroad and associated accident potential, the projects contribution to the cumulative public hazard posed by the railroad's traversing the City would also be considered potentially significant.

Preliminary Mitigation Measures

1. The applicant shall obtain approval from the Santa Barbara County Fire Department for a Hazardous Materials Business Plan (HMBP) covering the use and storage of all pool maintenance and landscape chemicals associated with maintenance of the proposed pool/spa complex as well as project landscaping. **Plan Requirements and Timing:** The applicant shall obtain Santa Barbara County Fire Department approval of the HMBP and submit said plan to the City prior to approval of any LUP for the project.

   Monitoring: City staff shall verify compliance prior to LUP approval.

2. Prior to construction of any habitable structures, radon testing shall be conducted. If radon gas is present above the recommended EPA exposure level (4.0 pci/L), habitable structures shall be designed to provide venting and/or any other EPA approved mitigation measures identified to reduce such exposure to below EPA action levels. **Plan Requirements and Timing:** A radon report including recommendations for appropriate EPA approved mitigation measures shall be submitted to Building and Safety and the Santa Barbara County

Environmental Health Services Office for review and approval prior to approval of any Land Use Permit(s) for construction of any habitable structures.

Monitoring: City staff shall ensure compliance with this requirement prior to approval of any Land Use Permit(s) for construction of any habitable structures. The City Building Inspector shall verify compliance in the field prior to any final inspection.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall conduct research of hazardous materials records and aerial photos to assess the hazards and hazardous materials environmental baseline for the proposed project. In addition, the EIR consultant shall conduct at least one field survey to determine if a Phase I environmental assessment is necessary to fully describe the environmental baseline.
2. The EIR consultant shall describe the criteria for determining the significance of any hazards And hazardous materials risk posed by the project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to hazards and hazardous materials.
3. The EIR consultant shall prepare a Health Risk Assessment (HRA) regarding exposure of project residents to the release of hazardous materials resulting from a transport accident on either the adjacent railroad or nearby U.S. Highway 101 travel corridor.
4. The EIR consultant shall identify all businesses within 2,000 feet of the project site, determine emission levels of any toxic air contaminants or hazardous air pollutants, estimate the onsite exposure of such emissions, and identify impacts of any exposure on receptors. The EIR air quality consultant shall identify any appropriate mitigation measures and provide statement of residual impact.
5. Based on this research, field surveys, and studies, the EIR consultant shall identify and discuss the significance of all potential hazards and risk associated with exposure to hazardous materials posed by the proposed project.
6. The EIR consultant shall evaluate the potential wildfire hazard posed by the project’s proximity to existing areas of coastal sage scrub and coyote brush.
7. The EIR consultant shall identify and discuss the significance of all project contributions to cumulative hazards and hazardous materials risks and impacts (City staff shall provide a list and associated map of cumulative projects within the City).
8. The EIR consultant shall evaluate the adequacy of the mitigation measures identified in the Initial Study, as well as identify other, feasible mitigation measures that reduce potentially significant hazards and hazardous materials risks to less than significant levels.
9. The EIR consultant shall prepare a statement of residual impact based on implementation of all mitigation identified in the EIR.

HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Violate any water quality standards or waste discharge requirements?	■				
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?		■			
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		■			
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		■			
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		■			
f. Otherwise substantially degrade water quality?	■				
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				■	
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				■	
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				■	
j. Inundation by seiche, tsunami, or mudflow?				■	

<u>Existing Setting</u>

Stormwater runoff from the project site currently sheetflows from the north to the south where it enters the curb/gutter on Cortona Drive and flows eastward approximately 1,000 feet before being captured by in-street catch basins that discharge into Tecolotito Creek at the eastern terminus of Cortona Drive. The peak flow rate for Tecolotito Creek immediately downstream of where these two catch basins discharge into it for the 100-year event is 4,600 cubic feet/second (cfs) (Village @ Los Carneros EIR, 07-EIR-001).

Tecolotito Creek flows southward from this discharge point to its confluence with Los Carneros Creek and ultimately into Goleta Slough. Tecolotito and Los Carneros Creeks are considered the primary sources of fresh water for the Slough. Tecolotito Creek and the Goleta Slough are currently designated by the Central Coast Water Quality Control Board (CCWQCB) as "impaired" due to; nitrate (NO_3) from an unknown source for Tecolotito Creek, and a variety of pollutants including non-point source primary organics and pathogens from urban sources, metal concentrations from industrial sources, and silt/sediment from land development/construction for Goleta Slough.

The project site lies well outside of any flood hazard area as mapped by FEMA and is above the 12 meter contour that defines the most current tsunami run-up area in the City as calculated by the University of Southern California and incorporated into the City's General Plan (Figure 5-2 of the Safety Element).

The project site lies above the West Sub-Basin of the Goleta Groundwater Basin. However, as discussed in the Geology section above, the project site overlies an area where the West Sub-Basin is separated from the more shallow "perched groundwater" onsite by a low permeability layer that effectively prevents any onsite groundwater recharge.

Thresholds of Significance

A significant impact on hydrology and water quality would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, the City's *Environmental Thresholds and Guidelines Manual* assume that a significant impact on hydrology and water resources would occur if a project would result in a substantial alteration of existing drainage patterns, alter the course of a stream or river, increase the rate of surface runoff to the extent that flooding, including increased erosion or sedimentation, occurs, create or contribute to runoff volumes exceed existing or planned stormwater runoff facilities, or substantially degrade water quality. Impacts would also be considered significant if a project does not comply with the City's Stormwater Program.

Project Specific Impacts

a,f) As noted above, both Tecolotito Creek and the Goleta Slough are designated as "impaired" by the CCWQCB. The proposed stormwater drainage plan for the project would collect stormwater from both pervious as well as impervious surfaces through a system of catch basins and transport that runoff to a system of underground cisterns within the drive aisles of the internal circulation system before release into the curb/gutter on Cortona Drive and ultimately discharge into Tecolotito Creek. The preliminary grading/drainage plan identifies some catch basins in areas where stormwater runoff would have to flow across pervious surfaces and receive some level of biofiltration. In addition, the preliminary drainage analysis for the project states that the proposed drainage infrastructure would provide 250,000 SF of infiltratable area onsite to remove stormwater pollutants prior to discharge offsite (Flower & Associates: *Preliminary Drainage*

Analysis, Cortona Apartments, November 4, 2009). However, at this time the report and project drainage and landscape plans do not provide enough information to allow the City's Community Services Department, which oversees implementation of the City's adopted Stormwater Management Plan, to make a determination if the proposed drainage improvements are sufficient to meet Plan requirements. As the project will have to be consistent with the City's Stormwater Management Plan, and given that fact that resolution of any existing deficiencies in the current drainage plan could trigger substantial project redesign that may or may not be feasible/acceptable to the applicant, project impacts on the water quality of Tecolotito Creek and the Goleta slough, as well as the receiving ocean waters at Goleta Beach are considered potentially significant.

b) As noted above, the project site lies above the West Sub-Basin of the Goleta Groundwater Basin. However, since the project site overlies an area where the West Sub-Basin is separated from shallow "perched groundwater" by a low permeability layer, existing geological conditions effectively prevent any onsite recharge of the Goleta Groundwater Basin. As such, project impacts on groundwater supplies and/or groundwater recharge are considered less than significant.

c-e) All stormwater runoff from the project site would flow into the curb/gutter on Cortona Drive and subsequently to one of two catch basins within the roadway east of the property where it would enter the City's stormdrain system that discharges into Tecolotito Creek at the eastern terminus of Cortona Drive. Any increase in post development stormwater volumes or rates of discharge would enter the creek at this stormdrain outlet. Per the submitted drainage analysis for the project, pre-construction peak flows for the 2-year event would be 2.94 cfs, for the 5-year event 7.60 cfs, for the 10-year event 11.12 cfs, for the 25-year event 15.77 cfs, and for the 100-year event 22.84 cfs (Flowers & Associates, November 4, 2009). Post-development peak flows subject to the proposed drainage control infrastructure (e.g. onsite surface infiltration areas, catch basins, stormdrains, underground storage/percolation improvements, etc) are estimated at 2.91 cfs for the 2-year event, 5.41 cfs for the 5-year event, 10.65 cfs for the 10-year event, 15.76 for the 25-year event, and 17.07 cfs for the 100-year event. However, such estimates assume that drainage infrastructure would be constructed as proposed and maintained over the life of the project. Failure to either construct as proposed and/or maintain the system over the life of the project could result in failure of these facilities and post-development stormwater flows exceeding pre-development flows causing substantial increases in bank/channel erosion or siltation at this discharge point in Tecolotito Creek.

Stormwater flows from the project, especially during project construction, could result in the introduction of sediment laden runoff into the creek. The project plans and description do not include any construction BMPs to address potential introduction of sediment laden stormwater into the creek. As such, the proposed project, especially project construction could result in a substantial increase in creek siltation. Given these potential impacts to stormwater volumes and/or introduction of sediment laden runoff into Tecolotito Creek, project impacts on stormwater discharges into the creek are considered potentially significant.

g-j) The project is outside of any flood hazard area as mapped by FEMA. In addition, the project lies above the 12 meter contour within the City that per the General Plan is mapped as the limit of the tsunami run-up zone for the City. Given the property's relatively flat topography and the minimal slopes on adjoining parcels, the threat of mudslides and other similar hazards is considered non-existent. The project site is not subject to any hazard posed by a future failure of any upstream levee or dam.

Cumulative Impacts

As project specific impacts on the water quality of downstream receiving water bodies is considered potentially significant, project contributions to cumulative water quality impacts within the City are also considered potentially significant. Project contributions to cumulative stormwater flows, introduction of sediment/silt into surface water bodies, and demand on the GWD's water supply are considered potentially significant. All other project contributions to cumulative hydrological impacts are considered less than significant.

Preliminary Mitigation Measures

1. The applicant shall obtain proof of exemption or proof that a National Pollutant Discharge Elimination System (NPDES) Storm Water Permit from the California Regional Water Quality Control Board has been applied for by registered mail. **Plan Requirements and Timing:** The applicant shall submit proof and City staff shall review and approve documentation prior to LUP issuance.

   Monitoring: City staff shall review the documentation prior to LUP issuance.

2. The applicant shall prepare a final stormwater quality protection plan that identifies all Best Management Practices (BMPs) to be incorporated into the project's design consistent with the requirements of the City's *Stormwater Management Plan*. **Plan Requirements and Timing:** The final stormwater quality protection BMPs plan shall be prepared by a licensed engineer and submitted to City staff for review and approval prior to approval of any LUP for the project.

   Monitoring: City staff shall verify compliance prior to LUP approval. The project engineer shall sign-off on construction of all approved BMPs and City staff shall verify that all stormwater protection/BMPs have be constructed/installed per the approved final drainage plan prior to any final inspection.

3. The applicant shall prepare a maintenance agreement that addresses maintenance requirements for all improvements associated with the stormwater quality protection/BMPs described in the final approved drainage plan. **Plan Requirements and Timing:** At a minimum, the maintenance agreement shall include requirements that all inline stormdrain filters shall be inspected, repaired, and cleaned per manufacture specifications and at a minimum prior to September 30th of each year. Additional inspections, repairs, and maintenance shall be preformed after storm events as needed throughout the rainy season (November 1st to April 15th)and/or per manufacture specifications. Any necessary

major repairs shall be completed prior to the next rainy season. Prior to September 30th of each year, the applicant shall submit to the City for its review and approval a report summarizing all inspections, repairs, and maintenance work done during the prior year. The applicant shall submit the required maintenance agreement to City staff for review, approval, and execution prior to approval of any LUP for the project.

<u>Monitoring</u>: City staff shall verify compliance prior to approval of any LUP for the project. City staff shall verify compliance with the provisions of the agreement periodically and respond to instances of non-compliance with the agreement.

4. The applicant shall prepare and submit a final drainage control plan for the project. **Plan Requirements and Timing:** The final drainage control plan shall be prepared by a licensed engineer and identify all drainage control improvements to be incorporated into the project design, including the proposed underground infiltration system. The required plan shall include a final drainage analysis that provides final estimates on pre/post development stormwater runoff volumes, required storage capacity, and specifications on all elements of the drainage control system. The submitted final drainage control plan shall be reviewed and approved by City staff prior to approval of any LUP for the project.

   <u>Monitoring</u>: City staff shall verify compliance prior to approval of any LUP for the project. The project engineer shall sign-off on the installation of all drainage control/detention system elements and City staff shall verify installation of all components of the approved final drainage control plan prior to any final inspection.

5. The applicant shall prepare a Storm Water Management Plan (SWMP) covering all phases of grading operations. **Plan Requirements:** The SWMP shall be prepared by a licensed civil engineer and incorporate all appropriate Best Management Practices (BMPs) necessary to mitigate short-term construction impacts. The plan may include, but is not limited to, the following BMPs:

   a) Temporary berms and sedimentation traps (such as silt fencing, straw bales, and sand bags); the BMPs shall be placed at the base of all cut/fill slopes and soil stockpile areas where potential erosion may occur and shall be maintained to ensure effectiveness; the sedimentation basins and traps shall be cleaned periodically and the silt shall be removed and disposed of in a location approved by the City;
   b) Non-paved areas shall be revegetated or restored (i.e. geotextile binding fabrics) immediately after grading and installation of utilities, to minimize erosion and to re-establish soil structure and fertility; revegetation shall include non-invasive, drought-resistant, fast-growing vegetation that would quickly stabilize exposed ground surfaces; alternative materials rather than reseeding (e.g., gravel) may be used, subject to review and approval by Planning and Environmental Services and Community Services;
   c) Runoff shall not be directed across exposed slopes; all surface runoff shall be conveyed in accordance with the approved drainage plans;

d) Energy dissipaters or similar devices shall be installed at the end of drainpipe outlets to minimize erosion during storm events;
e) Grading shall occur during the dry season (April 15th to November 1st) unless a City approved erosion control plan is in place and all erosion control measures are in effect; erosion control measures shall be identified on an erosion control plan and shall prevent runoff, erosion, and siltation; all exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion; graded surfaces shall be reseeded within four (4) weeks of grading completion, with the exception of surfaces graded for the placement of structures; these surfaces shall be reseeded if construction of structures does not commence within four (4) weeks of grading completion.

Timing: The final drainage/stormwater quality protection plan shall be submitted to City staff for review and approval prior to LUP approval.

Monitoring: City staff shall verify that the SWPPP has been implemented per the approved final plan prior to commencement of any grading activities.

Residual Impact

To be Determined.

EIR Scope-of-Work

1. The EIR consultant shall establish the project's hydrology and water quality environmental baseline through peer review of the submitted drainage plan and report (Flowers & Associates; November 4, 2009), review of all pertinent FEMA and Santa Barbara County Flood Control District maps, Central Coast Regional Water Quality Control Board data on the water quality of any existing surface water bodies for which the proposed project lies within their watershed, consultation with the City's Community Services Department, and any field surveys as needed.
2. The EIR consultant shall describe the criteria for determining the significance of any hydrology and water quality impacts posed by the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal Regulations and standards relating to hydrology and protection of water quality.
3. The EIR consultant shall identify and discuss the significance of all project impacts on water supply, water quality, stormwater flows/flooding hazards, and site drainage.
4. The EIR consultant shall identify and discuss the significance of all project contributions to cumulative hydrology and water quality impacts in the area (City staff shall provide a list and associated map of cumulative projects within the City).
5. The EIR consultant review the mitigation measures described above to assess both their appropriateness as well as effectiveness for reducing project related hydrological and water quality impacts to less than significant levels. The EIR consultant shall also identify additional mitigation where appropriate to address

potential hydrological and water quality impacts in association with discussions with Community Services staff.

6. The EIR consultant shall prepare a statement of residual impact based on implementation of all mitigation identified in the EIR.

LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Physically divide an established community?	■				
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for purpose of avoiding or mitigating an environmental effect?	■				
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				■	

<u>Existing Setting</u>

The General Plan land use designation for the site under the Land Use Element of the City's General Plan is Medium Density – Residential (R-MD). According to Land Use Policy LU 2.6, the intent of this designation is to provide for development of residential units at densities of up to 20.0 units per acre and is applied to the "affordable housing opportunity" sites identified in the Housing Element.

<u>Thresholds of Significance</u>

A significant land use and planning impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist.

<u>Project Specific Impacts</u>

a) The proposal represents an infill project that is surrounded on three sides (south, west, and east) by a large developed business park complex that includes a number of research and development (R&D) companies doing defense work for the Federal Government. As such, the proposed project would introduce a completely different land use (residential) into an area with an already established R&D (commercial) neighborhood. Owners and tenants of the surrounding properties have raised concerns to City Planning staff that the introduction of a large residential project with limited parking in such proximity to UCSB could result in serous overflow parking problems on either their properties or nearby City streets. In addition, the City's Neighborhood Services Department, which enforces City parking regulations on City streets, has advised

Planning staff that simply meeting minimum City parking standards may not prevent an increase in illegal parking of overflow vehicles on City streets as a result of the growing tendency in the City for people, even in apartment complexes, to own recreational and accessory vehicles (RVs, boats, trailers, etc).

Given the project mix of 63 one-bedroom and 108 two-bedroom units, the project as currently designed meets minimum City parking standards for the type, size, and number of residential apartments proposed, including the requirement for multi-family developments to provide for one (1) visitor space/five (5) units. In total, 168 carport spaces and 154 uncovered spaces (total 322 spaces), including two carport and six uncovered handicapped accessible spaces, are provided onsite. Based on the parking demand study prepared by the applicant's consultant, parking provided onsite is substantially greater that parking demand studies from other similar projects in the City would indicate is necessary to address typical parking demand generated by a project of this nature (ATE; *Cortona Apartments Project, City of Goleta, Traffic and Circulation Study*, January 22, 2010). However, given that the City's minimum parking standards may be inadequate to address parking demand resulting from nature of unit occupancy given the project's proximity to the University, as well as the growing tendency for ownership and on-street parking of RVs, boats, and trailers, project impacts on parking in the area are considered a potentially significant compatibility impact in this area.

Adjoining property owners and tenants have also raised concerns about the increased potential for increased trespassing on this properties as a result of the introduction of a large residential project in their midst. As the project would result in a substantial increase in the number of full-time residents in this neighborhood that is currently of a solely business park nature, a substantial increase in the potential for trespassing would be considered to pose a potentially significant compatibility impact as well.

b) The project description notes that mitigation for the proposed loss of coastal sage scrub/coyote brush ESHA would occur offsite and out of the City's jurisdiction on land owned by the University of California and part of the Coal Oil Point Reserve. If avoidance of an ESHA or onsite mitigation for disturbance to such a resource is not feasible, the City's General Plan requires that such mitigation be done on property subject to the protections of the Plan (Policy CE 1.7). As the City's General Plan only applies to areas within the City itself, all associate mitigation required under the Plan must therefore occur within the City limits. As such, any mitigation to address the loss of any ESHA as a result of project construction that is proposed outside of the City's jurisdiction would conflict with the applicable protective policies of the City's General Plan.

As an affordable housing opportunity (AHO) site, the subject property must be developed at a minimum density of 20 units/net developable acre to ensure the most efficient and effective use of properties so designated within the City. Net developable acreage is defined pursuant to Land Use Element Policy LU 2.2 as gross acreage minus all acreage containing the following development constraints:

- ✓ Environmentally sensitive habitat areas;
- ✓ Areas prone to flooding and geologic, slope instability, or other natural hazards;
- ✓ Areas with stormwater drainage problems;
- ✓ Presence of other significant hazards or hazardous materials;
- ✓ Protection of significant public and private views;
- ✓ Exposure to exterior noise levels that exceed a Community Noise Exposure Level (CNEL) of 60 dBA (see related NE 1.2);
- ✓ Areas with archaeological or cultural resources;
- ✓ Deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer and water service, and emergency service response time; and
- ✓ Prevailing densities of adjacent developed residential areas

To determine if the project as proposed meets its *minimum* density requirements as an AHO site, City staff calculated the acreage onsite constrained by any of the factors noted above:

- 0.05 acres of native grasses;
- 0.19 acres of sage scrub ESHA;
- 0.01 acres of potentially sensitive archaeological/cultural resources; and
- 0.07 acres of coast live oak.

Given these constrained acreages (0.32 acres), the net developable acreage onsite is 8.54 acres (8.86 ac. – 0.32 ac.). At 8.54 net developable acres, the density of the project is 20.02 units/acre which does meet the minimum required density for an AHO site pursuant to the Housing Element of the City's General Plan.

c) There are no habitat conservation or natural community conservation plans that apply to the project site or would be affected by the project.

Cumulative Impacts

Conflicts regarding land use compatibility between the proposed project and neighboring R&D uses are localized to the project site and its surrounding area and as such would not involve any cumulative impacts. Conflicts regarding siting requirements for mitigation of impacts to ESHAs pursuant to the City's General Plan however could have an affect on the ability of the applicant to mitigate potential biological resource impacts and would be discussed further in the Biological Resources and policy consistency sections of the EIR.

Preliminary Mitigation Measures

Options for resolution of the potential land use compatibility conflicts, including overflow parking and increases trespassing, between the proposed project and the neighboring R&D development will be identified and discussed in the EIR for the project. Conflicts between General Plan siting requirements for offsite mitigation and that proposed by the applicant will be addressed further as part of both the policy review component of project review as well as under the Biological Resource discussion of the EIR. Mitigation for biological impacts posed by potentially inadequate mitigation for the loss of coastal sage scrub would be address in the Biological Resource section of the EIR while mitigation for potential land use compatibility issues will be discussed in the Land Use and Planning section of the EIR.

<u>Residual Impact</u>

To be determined.

<u>EIR Scope-of-Work</u>

1. The EIR consultant shall describe the existing land use setting for the proposed project including a discussion of surrounding land uses as well as General Plan land use and zoning designations in the area.
2. The EIR consultant shall conduct a peer review of the applicant's parking demand analysis (ATE; January 22, 2010) as well as from other environmental documents prepared in the for similar uses in the City as directed by City staff.
3. The EIR consultant shall describe the criteria for determining the significance of any land use or planning impacts posed by the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to land use and planning.
4. The EIR consultant shall identify and discuss potential land use compatibility concerns, including increased trespassing on neighboring R&D facilities as well as overflow parking on adjoining City streets that could arise as a result of the introduction of a large residential apartment complex in the midst of an existing business park development.
5. The EIR consultant shall conduct a consistency review of all applicable General Plan policies and the proposed project.
6. The EIR consultant shall conduct a consistency review of all applicable zoning requirements and the proposed project.
7. The EIR consultant shall prepare a residual land use and planning impact statement identifying all land use policy inconsistencies and land use compatibility conflicts that cannot be remedied.

MINERAL RESOURCES

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Significant Impact**	**No Impact**	**See Prior Document**
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				■	
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				■	

Existing Setting

No known naturally occurring mineral resources have been identified on the project site nor would the proposed facility result in the loss of a locally important mineral resource recovery site. The site has been used in the recent past for the commercial cutting of sandstone for landscape and construction purposes but the sandstone finished on the property was imported from another location. Such activities have been suspended.

Thresholds of Significance

A significant impact on mineral resources would be expected to occur if the proposed project resulted in any of the impacts noted in the checklist above.

Project Specific Impacts

a,b) The proposed project would not result in the loss of availability of any known mineral resource or identified resource recovery site. No such impacts would occur.

Cumulative Impacts

There would be no project contributions to cumulative impacts on mineral resources in the area as a result of project construction.

Preliminary Mitigation Measures

No mitigation is recommended or required.

Residual Impact

There would be no residual project specific impacts or project contributions to cumulative impacts on mineral resources in the area.

EIR Scope-of-Work

No discussion of Mineral Resources shall be included in the EIR.

NOISE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	■				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	■				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			■		
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		■			
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			■		
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				■	

Existing Setting

The northerly ⅓ of the project site lies within the 70 dB(A) noise contour for the railroad with the majority of the remainder of the property within the 65 dB(A) railroad noise contour. The project site is also exposed to significant traffic noise from U.S. Highway 101 where much of the site is within the 65 dB(A) highway noise contour. The project site is outside of any airport noise contour. Although the surrounding business park development would not be considered a sensitive receptor, the proposed residences themselves are considered as such since once constructed and occupied, project residents would be subjected to railroad and highway noise.

Noise is defined as unwanted or objectionable sound. The measurement of sound takes into account three variables; 1) magnitude, 2) frequency, and 3) duration. Magnitude is the measure of a sound's "loudness" and is expressed in decibels (dB) on a logarithmic scale. Decibel levels diminish (attenuate) as the distance from the noise source increases. For instance, the attenuation rate for a point noise source is 6dB every time the distance from the source is doubled. For linear sources such as Highway 101 or the railroad tracks, the attenuation is 3 dB for each doubling of distance from the source

The frequency of a sound relates to the number of times per second the sound vibrates. One vibration/second equals one hertz (Hz). Normal human hearing can detect sounds ranging from 20 HZ to 20,000 Hz. Because human hearing is less sensitive to very low or very high noise frequencies, noise levels are weighted to address this fact. A-weighted noise is weighted to better represent this characteristic of human hearing. Therefore, noise levels experienced by people are typically denoted as dB(A).

Duration is a measure of the time to which the noise receptor is exposed to the noise. Because noise levels in any given location fluctuate during the day, it is necessary to quantify the level of variation to accurately describe the noise environment. One of the best measures to describe the noise environment is the Community Noise Equivalent Level or CNEL. CNEL is a noise index that attempts to take into account differences in the intrusiveness of noise between daytime hours and nighttime hours. Specifically, CNEL weights average noise levels at different times of the day as follows:

Daytime—7 am to 7 pm	Weighting Factor = 1 dB
Evening—7 pm to 10 pm	Weighting Factor = 5 dB
Nighttime—10 pm to 7 am	Weighting Factor = 10 dB

Thresholds of Significance

A significant noise impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additional thresholds are contained in the City's *Environmental Thresholds and Guidelines Manual*. The City's adopted thresholds assume that outdoor CNEL noise levels in excess of 64 dB(A) are considered to pose significant noise impacts on sensitive receptors.

Project Specific Impacts

a,b) As shown on Figures 9-1 and 9-2 of the Noise Element of the City's General Plan, the proposed apartment units would be subjected to railroad and highway noise above levels considered acceptable for such residential use. The General Plan indicates that the range of normally acceptable noise levels for medium density residential use is 50-60 dBA. "Normally acceptable" for a specified land use is defined as:

> *satisfactory based on the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Both such uses are considered sensitive receptors and the limit of acceptable noise exposure of sensitive receptors is typically 60 dBA CNEL.*

Pursuant to the General Plan, noise levels of up to 65 dB are considered "conditionally acceptable" for sensitive receptors. The term "conditionally acceptable" is defined as:

> *New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and the needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.*

As such, the anticipated exposure of the proposed apartment units to noise levels of 65 dB(A) or more poses a potentially significant noise impact on such sensitive receptors. In addition, the proposed units would be located as close as 120 feet from the railroad tracks themselves. Given that rail traffic does produce significant groundborne vibrations, the proximity of the project to the railroad also poses potentially significant groundborne vibration impacts for these units.

Given that the project site is surrounded on three sides by existing business park development, future residents could be exposed to noise produced by condensers, compressors, and other mechanical units needed to support ongoing business park activities. As these existing uses are conforming to their current land use designation and zoning, mitigation of such impacts would be the responsibility of the project proponent, not the surrounding land use. Therefore, possible noise impacts on future project residents resulting from the surrounding business park development are considered potentially significant.

c) As a residential project, long-term project generated noise sources would be primarily operation (e.g. landscape maintenance, project generated traffic, and use of outdoor recreational facilities). Given the proposed project's location within an existing business park neighborhood, and the existing exposure of that neighborhood to rail and highway noise, such operational noise would not significantly increase the ambient noise levels of the area. Therefore, project noise impacts on the surrounding neighborhood would be considered less than significant.

d) The closest sensitive receptors to the proposed project site are the Pacific Glen townhome units located approximately 500 to the west of the project site and on the other side of Storke Road. The City's *Environmental Thresholds and Guidelines Manual* notes that construction noise poses a potentially significant impact on sensitive receptors if such receptors are within 1,600 feet of the construction site. Noise associated with heavy equipment operation and construction activities can average as high as 95 dB or more measured 50 feet from the source. At a point-source attenuation rate of 6 dB for each doubling of distance from the source, construction equipment noise levels at 95 dB would not decrease to below the 65 dB threshold for sensitive receptors until the distance between the source and receptor reach 1,600 feet. Therefore, project construction is considered to pose a potentially significant noise impact on neighboring residential development.

e,f) Pursuant to the City's General Plan, the project site is located outside of either the current or the anticipated 2030 60 dB(A) noise contour of the Santa Barbara Municipal Airport. Therefore, airport noise impacts, either in the near or foreseeable future on the proposed project would be considered less than significant. There is no private airport anywhere within the vicinity of the City and as such, no private airport impacts on the proposed project would occur.

Cumulative Impacts

The proposed project's contribution to cumulative construction noise impacts would be considered potentially significant. Since exposure of the proposed units to railroad and highway noise is only site specific, and all other project specific noise impacts are considered less than significant, project contributions to such cumulative impacts would also be considered less than significant.

Preliminary Mitigation Measures

1. All noise-generating project construction activities shall be limited to Monday thru Friday, 8:00 a.m. to 5:00 p.m. Construction shall generally not be allowed on weekends and state holidays. Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Services. The applicant shall post the allowed hours of operation near the entrance to the site, so that workers on site are aware of this limitation. **Plan Requirements and Timing:** Three (3) signs stating these restrictions shall be provided by the applicant and posted on site. Such signs shall be a minimum size of 24" x 48." All such signs shall be in place prior to commencement of any grading/construction activities and maintained through to occupancy clearance. Violations may result in suspension of permits.

   Monitoring: City staff shall monitor compliance with restrictions on construction hours and shall promptly investigate and respond to all complaints.

2. Stationary construction equipment that generates noise which exceeds 65 dB(A) measured 50-feet from the source in an unattenuated condition shall be shielded to reduce such noise levels to no more than 65 dB(A) at project boundaries. **Plan Requirements and Timing:** The applicant shall submit a list of all stationary equipment to be used in project construction which includes manufacturer's specifications on equipment noise levels as well as recommendations from the project acoustical engineer, for shielding such stationary equipment so that it complies with this requirement. This information shall be reviewed and approved by City staff prior to any LUP approval for he project. All City approved noise attenuation measures for stationary equipment used in any construction and/or grading activities shall be implemented and maintained for the duration of the period when such equipment is onsite.

   Monitoring: City staff shall periodically inspect the site to ensure compliance with all noise attenuation requirements.

3. The following measures shall be incorporated into grading and building plan specifications to reduce the impact of construction noise:

   a) All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.
   b) Contractors shall implement appropriate additional noise mitigation measures including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, and installing acoustic barriers around significant sources of stationary construction noise.

   Plan Requirements and Timing: These requirements shall be printed all plans submitted for any LUP, building, or grading permit approval.

   Monitoring: City staff shall periodically inspect the site to ensure compliance with all noise attenuation requirements.

4. The applicant shall include features into the design of the proposed buildings that will attenuate the interior noise levels of the proposed residences to levels not exceeding 45 dB(A). Such features may include but are not limited to:

   - Double-paned windows rated at STC=32 and supplemental ventilation;
   - Wallboard or ceiling board mounted on resilient mounting clips;
   - Baffle plates over any attic vents facing the noise source; and
   - Absorbent duct lining and 90-degree elbows on vents and duct openings.

   Plan Requirements and Timing: An acoustical analysis, prepared by a licensed engineer with expertise in environmental noise assessment and architectural acoustics, shall be submitted prior to the issuance of any building permits for the proposed project. Such attenuation features shall address interior noise levels resulting from the project's proximity to the railroad and U. S. Highway 101 corridor as well as noise generated by the adjacent business park development.

   Monitoring: Prior to any rough framing inspection or occupancy clearance, confirmation that adequate noise attenuation measures for homes per the acoustical analysis noted above have been installed per the approved building plans shall be provided to the City in a separate acoustical report prepared by a licensed engineer with expertise in environmental noise assessment and architectural acoustics.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall verify noise levels on and in the vicinity of the project site and establish the noise environmental baseline for the project.

2. The EIR consultant shall describe the criteria for determining the significance of any noise impacts posed by the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State and Federal regulations and relating to noise.
3. The EIR consultant shall describe project noise impacts based on the environmental baseline and the proposed proximity of the project to such significant noise sources as the railroad and U.S. Highway 101. The noise impact analysis shall also evaluate the impact of project construction on sensitive receptors within 1,600 feet of the project site.
5. The EIR consultant shall review the adequacy of the mitigation measures noted above and identify additional appropriate, feasible mitigation measures, if any, that would reduce noise and groundborne vibration impacts to less than significant levels.
6. The EIR consultant shall prepare a statement of residual impacts for the project.

POPULATION AND HOUSING

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			■		
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				■	
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				■	

<u>Existing Setting</u>

According to the City of Goleta Housing Element Technical Appendix, June, 2009, as of January 2009, the City's population was 30,476 people. The estimated average household size was 2.7 persons and there were 11,559 housing units. Upon build-out of the General Plan (anticipated to occur by the year 2030), the City's population is expected to reach 38,100. The City has rezoned various properties in response to its adopted General Plan that at buildout would accommodate and estimated 3,880 additional residential units. Per State requirements for the City to contribute to regional housing needs under its Regional Housing Needs Assessment (RHNA), the City must zone for an additional 1,641 dwelling units for the 2007 to 2014 planning period. Excluding approved residential projects that were completed by June 2009, the remaining housing need is 938 units at various income affordability levels. The General Plan Technical Appendix Table 10A-20 identifies vacant sites available for development of approximately 2,197 dwelling units.

Thresholds of Significance

A significant impact on population and housing would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist.

Project Specific Impacts

a) The proposed project includes 171 rental apartments. Applying the City's overall average household size of 2.7 people/household, the proposed project would represent a population increase of 462 people. This represents a 1.5% increase in the City's population that was already anticipated given the fact that under the General Plan, the project site's planned land use was changed from commercial business park to medium density residential. New infrastructure to support the project was also assumed for the site in the City's General Plan and these infrastructure improvements would not induce unplanned growth in the area.

Although there is no established system of reporting employment information by place of work for the City of Goleta alone, the 2000 US Census estimates a total of 27,265 jobs in the Goleta Census Defined Place (CDP) and 27,515 workers living in the Goleta CDP. The CDP includes the City of Goleta and most of the area between the City of Goleta and the City of Santa Barbara, including Hope Ranch (but not Isla Vista, the UCSB campus, or the City of Santa Barbara Airport). Per the City of Goleta General Plan *Background Report No. 25* dated June 20, 2004, in the year 2000 there were 24,788 occupied residential units within the Goleta CDP or an average of 1.1 workers/residential unit. Applying this average to the proposed project, it is anticipated that the project would generate 188 new workers or an increase in the City's workforce of 0.7%.

Given the minimal population increase (1.5%), increase in the number of Goleta workers (0.7%), and the fact that needed infrastructure to serve this new population is already anticipated in the City's General Plan, project impacts associated with such an increase in population are considered less than significant.

b,c) The project site is currently undeveloped. The proposed project would not displace any existing housing units or require the displacement of any people thereby necessitating the construction of replacement housing. Therefore, no such impacts would occur.

Cumulative Impacts

The proposed project would not result in any significant contribution to cumulative housing and population impacts either within the City or the surrounding Goleta Valley.

Preliminary Mitigation Measures

No mitigation is required or recommended.

Residual Impact

The proposed project would not result in any significant, project specific or project contributions to cumulative residual impacts on housing and population either within the City or the surrounding Goleta Valley. Other impacts relating to the addition of 171 residential apartment such as increased traffic/air emissions, demand for water, sewer, and public services, increased demand for police and fire protection services, increased student enrollment at area schools, and increased demand for parks and recreational amenities are discussed in the applicable sections of the document (e.g., air quality, traffic, public facilities, recreation, etc.).

EIR Scope-of-Work

The EIR shall not include a discussion of population and housing.

PUBLIC SERVICES

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of these public services:					
fire protection?	■				
police protection?			■		
schools?			■		
parks?			■		
other public facilities?			■		

Existing Setting

Fire protection/emergency services for the proposed project would be provided by the Santa Barbara County Fire Department (SBCFD). The closest fire station to the project site is Station #11 located at 6901 Frey Way, just off Storke Road and south of Hollister Avenue and the Camino Real Marketplace(approximately ½ mile by City streets). The General Plan identifies three standards with respect to the provision of fire protection services, which include:

- A firefighter-to-population ratio of one firefighter on duty 24 hours a day for every 2,000 persons is the ideal goal, however, one firefighter for every 4,000 persons is the absolute maximum population that can be adequately served;

- A ratio of one engine company per 16,000 persons, assuming four firefighters per station, represents the maximum population that the SBCFD determined can be adequately served by a four-person crew; and
- A five-minute response time in urban areas.

Police services are provided by the County Sheriffs Department under contract to the City. Law enforcement services include 24-hour police patrol for traffic enforcement, accident investigation, vehicle abatement, and parking control, as well as detective services for special investigations. Specialized functions through the Santa Barbara County Sheriff's Department are provided as needed. There are also services available for special events and/or natural disaster response.

Public schools serving the project vicinity include Isla Vista Elementary operated by the Goleta Union School District and the Goleta Valley Junior High and Dos Pueblos High School operated by the Santa Barbara High School and Elementary School District.
Park facilities in proximity to the project site include Lake Los Carneros north of U.S. Highway 101, Girsh Park near the Camino Real Shopping Center and passive open space at Santa Barbara Shores Park and the Sperling Preserve to the west. Passive and active recreational opportunities are discussed further in the Recreation section of this initial study.

Library services are provided to the community at the Goleta Public Library which is operated by the City of Santa Barbara under contract to the City of Goleta. The library is located in a facility owned by the City of Goleta at 500 North Fairview Avenue.

Thresholds of Significance

A significant impact on public services would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, the City's *Environmental Thresholds and Guidelines Manual* includes thresholds of significance for potential impacts on area schools. Specifically, under these thresholds any project that would generate enough students to generate the need for an additional classroom using current State standards, would be considered to result in a significant impact on area schools. Current State standards for classroom size are as follows:

Grades K – 2	20 students/classroom
Grades 3 – 8	29 students/classroom
Grades 9 – 12	28 students/classroom

Project Specific Impacts

Fire Protection
The County Fire Department has reviewed the project plans and indicated that access to the project site and the proposed apartment buildings is acceptable. Per the Fire Department's review, the applicant will be required to install seven (7) fire hydrants and grass-crete turnarounds at locations approved by the Department within the project site prior to bringing combustible materials onsite. All buildings will have to be sprinklered and the project will be subject to standard Fire Department conditions for residential developments.

Fire Station 11, the primary responding fire station for the proposed project, lies approximately ½ mile by road to the south of the project site and well within a five (5) minute response time. Fire Station 11 houses one pumper and one ladder truck, with a total of six on-duty firefighters per shift serving an estimated population of 21,594 people (*City of Goleta General Plan EIR*, September, 2006) for a firefighter to population ratio of 1:3,599, which is still below the absolute highest ratio that the Fire Department can adequately serve (*City of Goleta General Plan EIR*, September, 2006). However, Truck 11 is a countywide emergency response rescue vehicle and is not a dedicated unit that serves solely Station 11's first-in district. Therefore, allocating Truck 11's crew solely to its first-in service area for the purpose of establishing the adequacy of the existing firefighter to population ratio understates the existing deficiencies in the provision of fire protection to residents of western Goleta. Using the City's most current average household size and applying it to the proposed project, the 171 apartment units would be anticipated to add 462 individuals to the Fire Station #11's first-in service area, which according to County Fire, is the most underserved area in Goleta due to in part to the existing firefighter to population ratio (letter from Capitan Glenn Fidler, Fire Prevention Division, Santa Barbara County Fire Department dated July 1, 2010). Furthermore, due to the size and scope of the proposed project, and the anticipated increase in population it would represent, the project's impact upon emergency services/fire protection in this area of the City is considered potentially significant without the construction of a new fire station to serve the immediate area and a fair share contribution from the applicant to help fund the cost of such a new station.

Police Protection

The Sheriff's Department currently maintains a staff of approximately 34 sworn officers assigned to the City of Goleta for a population to police office ratio of 1:900. Per the General Plan EIR (September, 2006), the Sheriff's Department recommends that additional officers be assigned to the City at a range of 1:750 to 1:1,070 new residents. Given this recommended service level, the proposed project would not trigger the need for additional police officers and/or equipment and facilities. Therefore, project impacts on the provision of adequate police services to serve the project would be considered less than significant.

Schools

The elementary school that serves the project site is Isla Vista Elementary School. The SBHSD secondary schools that serve the site are Goleta Valley Junior High School and Dos Pueblos High School. **Table PS-1** provides current enrollment and capacity levels for each of the schools. As shown, all of the schools that serve the project site are currently operating below capacity.

Table PS-1
Existing Enrollment and Capacity

School	Enrollment	Capacity	Capacity Utilization
Goleta Union School District (K-6)			
Isla Vista Elementary School	433	500	87%
Goleta Valley Junior High School	860	1,000	86%
Dos Pueblos High School	2,365	2,565	92%
Sources: Goleta Union School District office Goleta Valley Junior High School Dos Pueblos Senior High School			

To estimate the number of students added to the District for new residential units, the District utilizes the student generation factors shown in **Table PR-2**.

Table PS-2
GUSD and (SBHSD) Student Generation

School	Generation Factor (Students/ Unit[1])	Number of Units	Number of Students Generated by Project	Enrollment Plus Project	Percent Capacity Utilization with Project
Isla Vista Elementary School	0.2	171	34	467	93.4%
Goleta Valley Junior High School	0.04	171	7	867	86.7%
Dos Pueblos High School	0.05	171	9	2,374	92.6%

As noted in Table PS-2, the proposed project is anticipated to generate approximately 34 new elementary school students, seven (7) new junior high school students and nine (9) new high school students. Although the proposed project would generate 34 new elementary students (enough to create a new K-2 classroom), these new elementary students would not be limited to grades K-2, but are expected to be distributed between all of the K-6 grades at the school. In addition, Isla Vista Elementary School, as well as Goleta Valley Junior High and Dos Pueblos High School would not exceed their capacity, even with the addition of project generated increases in students. Therefore, project impacts to area schools would be considered less than significant.

Parks
Please refer to the Recreation section of this initial study for a discussion of impacts to parks and recreational opportunities.

Other Public Facilities
Project residents would have access to other public services such as the Goleta Public Library. Although library hours have been recently reduced to address City budgetary shortfalls, the increase in demand for public library facilities resulting from the anticipated in crease in City residents as a result of 171 new apartment units would be considered an adverse but less than significant impact.

Cumulative Impacts

The proposed project's contribution to the cumulative demand for fire protection, police protection, schools, and public facilities such as libraries would be offset by the required payment of development impact fees (DIFs) prior to issuance of any LUP for construction and/or occupancy clearance.

Preliminary Mitigation Measures

As payment of development impact mitigation fees for police, schools, and public facilities and services would be required prior to either issuance of any LUP for the project and/or any occupancy clearance, no further mitigation is required or recommended to address project impacts on these services. However, as the potential impacts posed by the project on fire protection in this area of the City are considered potentially significant, from both a project specific as well as cumulative perspective, payment of development impact mitigation fees does not qualify under CEQA as adequate mitigation to reduce potentially significant effects to less than significant levels. Mitigation to address such project specific impacts will be identified and evaluated in the project EIR.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall verify the baseline levels of public services and facilities necessary to serve the proposed project including, but not limited to; fire protection, police protection, schools, administrative services, libraries, and parks in the vicinity of the project.
2. The EIR consultant shall describe the criteria for determining the significance of any public service/facility impacts resulting from the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to public services and facilities.
3. The EIR consultant shall identify and discuss all impacts posed by the project on the provision of adequate public services and facilities needed to serve the development.
4. The EIR consultant shall identify feasible and appropriate mitigation measures that would reduce potential project specific impacts on the provision of adequate public services and facilities to less than significant levels.
5. The EIR consultant shall prepare a statement of residual impacts.

RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	■				
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				■	

Existing Setting

The City has 10 public parks, four private parks, and 20 public open space areas comprising a total of 523 acres. This equates to approximately 18 acres/1,000 residents. The two larger City-owned regional open space preserves, the Sperling Preserve/Ellwood Mesa and the Lake Los Carneros Natural & Historical Preserve collectively account for 363 acres of that total. Approximately 40% of the City's two miles of Pacific shoreline is held in City ownership. Together with the neighborhood open space areas, these preserves and open space areas provide many opportunities for passive recreation and enjoyment of natural areas. Areas specifically developed for active recreational uses however are less abundant with about three acres of developed park land/1,000 residents. The City's single recreation center, the Goleta Valley Community Center, is insufficient to fulfill all the needs of community groups and residents. Although privately owned and managed, Girsh Park provides much-needed facilities for active recreation, however there remains a shortage of public facilities for active recreation such as sports fields, tennis courts, swimming pools, and dedicated trails. The parks in closest proximity to the project site are Lake Los Carneros Natural and Historic Preserve and Girsh Park.

Thresholds of Significance

A significant impact on recreation would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist.

Project Specific Impacts

a) The proposed project is anticipated to result in a population increase of 462 people when fully occupied. This represents a 1.5% increase in the City's population and correspondingly, an equivalent increase in demand for recreational facilities, opportunities, and open space. Existing regional and neighborhood open space areas such as the Ellwood/Sperling Preserve and Lake Los Carneros Natural and Historic Preserve are within the vicinity of the project site and could accommodate the additional demand for local, passive recreational demands generated by the proposed project's resulting increase in the City's population. However, as noted above, there is an acknowledged, overall shortage of active recreational amenities in the community. This existing shortage, combined with increased demand for recreational opportunities that would occur as a result of the proposed project above and beyond that handled by the proposed recreation center/pool area onsite, would further contribute to deterioration, or accelerate deterioration, of the City's existing inventory of active recreational facilities. Therefore, impacts from project generated demand for active recreational amenities in the City of Goleta would be considered potentially significant.

b) The proposed project includes a 2,491 SF clubhouse, large pool, spa, and recreation center for use by all project residents. The site for these recreational facilities is at the front entrance to the project and away from any sensitive resource area. As such, the provision of such recreational amenities would not result in any impact on sensitive resources or the physical environment.

<u>Cumulative Impacts</u>

The project would result in a significant contribution to cumulative impacts on the City's parks, open space areas, and recreational facilities due to the resulting incremental increase in demand created by the addition of over 460 new residents to the City. However, such contributions would be offset by the required payment of park development impact mitigation fees at the time of occupancy clearance.

<u>Preliminary Mitigation Measures</u>

Mitigation for the project's contribution to cumulative demand for active recreation facilities would be provided through the required payment of parks/recreation development impact mitigation fees at the time of occupancy clearance. Mitigation for project specific impacts to recreation facilities within the City would be addressed through the EIR.

<u>Residual Impact</u>

To be determined.

<u>EIR Scope-of-Work</u>

1. The EIR consultant shall describe the baseline inventory and condition of all City recreational facilities, including all active recreation parks and open space areas within the City.
2. The EIR consultant shall describe the criteria for determining the significance of any public service/facility impacts resulting from the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to the provision of parks and open space.
3. The EIR consultant shall identify and discuss all impacts posed by the project on the provision of adequate public services and facilities needed to serve the

development, including the significance of the project's contribution to cumulative recreational impacts.

4. The EIR consultant shall identify feasible and appropriate mitigation measures that would reduce potential project specific impacts on the provision of adequate public services and facilities to less than significant levels.
5. The EIR consultant shall prepare a statement of residual recreational impacts.

TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	■				
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			■		
c. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	■				
d. Conflict with and applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			■		
e. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				■	

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
f. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	■				
g. Result in inadequate emergency access?				■	
h. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety or such facilities?			■		

Existing Setting

The project site is served by a network of highways, arterial streets and collector streets, as illustrated in Figure TC-1. The following text provides a brief discussion of the major components of the study-area street network.

U.S Highway 101, located north of the project site, is a multi-lane interstate freeway serving the Pacific Coast between Los Angeles and the state of Washington. This freeway is the principal route between the City of Goleta and the adjacent cities of Santa Barbara, Carpinteria, and Ventura to the south as well as the cities of Buellton and Santa Maria to the north. Access to the U.S. Highway 101 would be provided via the Storke Road and Los Carneros Road/Highway interchanges.

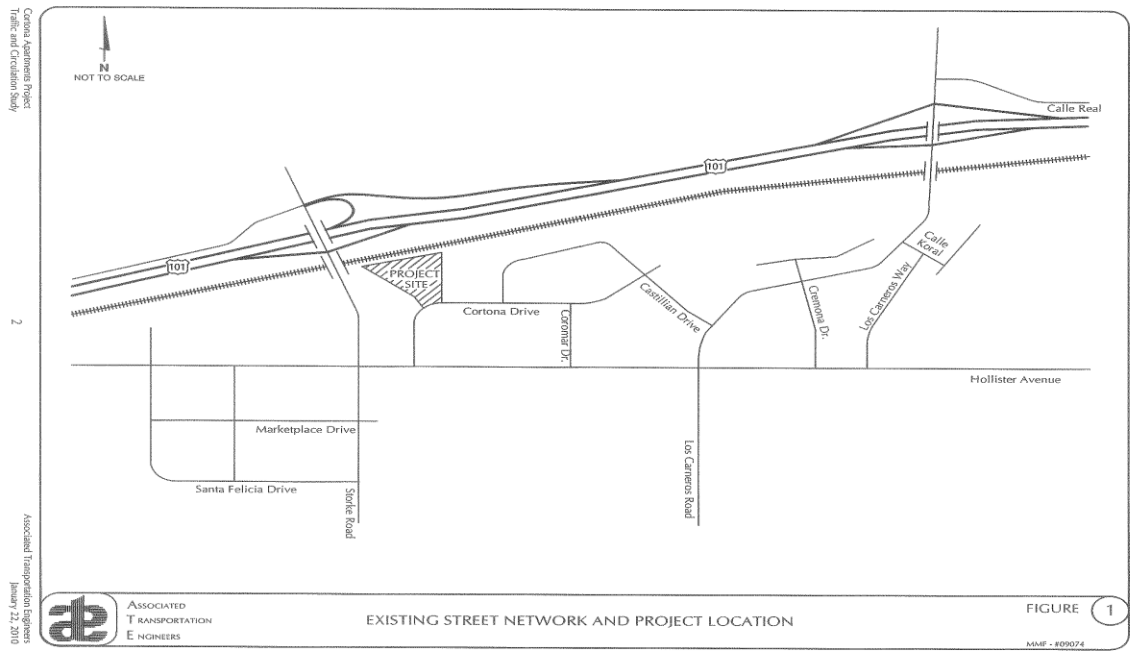
Hollister Avenue, located south of the project, is an arterial roadway that serves as the primary east-west surface street through the City south of the freeway. Hollister Avenue is a four-lane divided arterial with on-street bike lanes.

Storke/Glen Annie Road, located west of the project site, is a two or four lane north-south arterial roadway that extends between Cathedral Oaks Road on the north (Glen Annie) and El Colegio Road (Storke) on the south. Storke/Glen Annie Road provides freeway access to the western portion of the Goleta Valley area.

Los Carneros Road, located west of the project site, is a north-south arterial street. North of Hollister Avenue, Los Carneros Road extends as four-lane roadway connecting with the U.S. Highway 101 interchange and continues north to its terminus at Cathedral Oaks Road. Los Carneros Road extends as a two-lane road south of Hollister Avenue to El Colegio Road, providing access to the Isla Vista-UCSB area.

Cortona Drive, classified as a local road, located along the project's frontage is two-lane road that extends northerly from Hollister Avenue to it's terminus at Castilian Drive. A new driveway connection to Cortona Drive would provide access to the project site.
Roadway Operations.

Figure TC-1



Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Table TC-1 shows the existing ADT volumes and the acceptable capacity thresholds for the key roadways in the project study area.

Table TC-1
Existing Average Daily Roadway Volumes

Roadway Segment	Roadway Classification	Roadway Geometry	Acceptable Capacity (ADT)	Existing ADT
Storke/Glenn Annie Rd n/o Hollister Ave	Major Arterial	4-lane	34,000	33,800
Storke Rd s/o Hollister Ave	Major Arterial	4-lane	34,000	17,600
Hollister Ave w/o Storke Rd	Major Arterial	4-land	34,000	26,300
Hollister Ave e/o Storke Rd	Major Arterial	4-lane	34,000	20,900
Hollister Ave e/o Los Carneros Rd	Major Arterial	4-lane	34,000	13,700
Los Carneros Rd s/o US 101	Major Arterial	4-lane	34,000	24,200

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Existing peak hour volumes for the study-area intersections were obtained from traffic counts conducted in November of 2009. Table TC-2 lists the existing levels of service for the study-area intersections. Levels of service were calculated for signalized intersections using the "Intersection Capacity Utilization (ICU) methodology. Levels of service (LOS) for the unsignalized intersections were calculated using the methodology outlined in the Highway Capacity Manual (HCM).

Table TC-2
Existing Intersection Bevels of Service

Intersection	Control	AM Peak		PM Peak	
		ICU/Delay	LOS	ICU/Delay	LOS
Storke Rd/101 NB ramp	Signal	0.71	C	0.69	B
Storke Rd/101 SB ramp	Signal	0.78	C	0.73	C
Hollister Rd/Marketplace Dr	Signal	0.43	A	0.54	B
Storke Rd/Hollister Ave	Signal	0.61	B	0.74	C
Storke Rd/Market Place Dr	Signal	0.35	A	0.53	A
Hollister Ave/Cortona Dr[(a)]	Stop Sign	8.5 sec.	A	13.4 sec.	B
Los Carneros Rd/101 NB ramp	Signal	0.54	A	0.53	A
Los Carneros Rd/101 SB ramp	Signal	0.52	A	0.78	C
Los Carneros Rd/Calle Koral	Signal	0.48	A	0.71	C
Los Carneros Rd/Castilian Dr	Signal	0.39	A	0.65	B
Hollister Ave/Los Carneros R	Signal	0.42	A	0.67	B

a) *Unsignalized intersection w/LOS based on average weighted control delay per vehicle in seconds*

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

<u>Thresholds of Significance</u>

A significant project generated traffic impact would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. Additional thresholds of significance are set forth in the City's *Environmental Thresholds and Guidelines Manual* and include the following:

1) The addition of project traffic to an intersection increases the volume to capacity (V/C) ratio by the value provided below or sends at least 5, 10, or 15 trips to intersections operating at LOS F, E or D.

LEVEL OF SERVICE (including the project)	INCREASE IN V/C (greater than)
A	.20
B	.15
C	.10
OR THE ADDITION OF	
D	15 trips
E	10 trips
F	5 trips

2) Project access to a major road or arterial road would require a driveway that would create an unsafe situation or a new traffic signal or major revisions to an existing traffic signal.

3) Project adds traffic to a roadway that has design features (e.g. narrow width, road side ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with a substantial increase in traffic (e.g. rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that will become potential safety problems with the addition of project or cumulative traffic.

4) Project traffic would utilize a substantial portion of an intersection(s) capacity where the intersection is currently operating at acceptable levels of service (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.81) or lower. Substantial is defined as a minimum change of 0.03 for intersections which would operate from 0.80 to 0.85 and a change of 0.02 for intersections which would operate from 0.86 to 0.90, and 0.01 for intersections operating at anything lower.

Project Specific Impacts

Roadway Operations

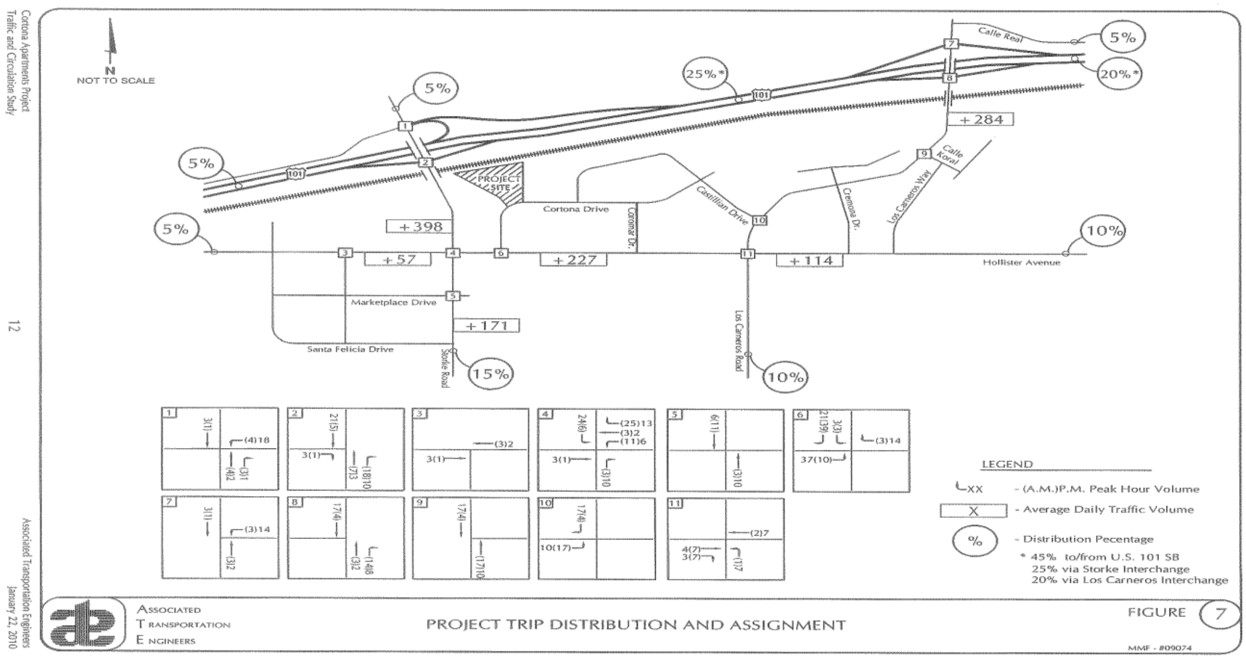
a,c) Trip generation estimates for the proposed project were calculated based on the rates set forth in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 8th edition* for Apartments (Land Use Code 220) to forecast project traffic. Table TC-3 presents the resulting trip generation estimates for the project.

Table TC-3
Project Trip Generation

Land Use	**Size**	**Average Daily**		**AM Peak Hour**		**PM Peak Hour**	
		Rate	Trips	Rate	Trips	Rate	Trips
Apartments	171 units	6.65/unit	1,137	0.51/unit	87	0.62/unit	106

To assess how project generated traffic will affect specific roadways within the project travelshed, such traffic must be distributed throughout the City's network of roads and streets based upon current and anticipated traffic patterns, the type of land use involved, and future, planned transportation improvements. The project traffic engineer prepared a trip distribution scenario that was reviewed and approved by the City's Community Services Department and shown in Figure TC-2 and Table TC-4 below.

Figure TC-2
Trip Distribution



Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Table TC-4
Trip Distribution

Origin/Destination	Direction	Percentage
US Highway 101: -Via Storke Rd -Via Storke Rd -Via Los Carneros Rd	 West East East	 5% 25% 20%
Hollister Ave	East West	10% 5%
Los Carneros Rd	South	10%
Storke Rd	North South	5% 15%
Calle Real	East	5%
Total		**100%**

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Using the trip generation estimates and trip distribution scenario noted above, existing + project ADT volumes were calculated and shown in Table TC-5. Table TC-5 also shows where project generated traffic volumes are anticipated to result in significant impacts on roadway volumes based on the City of Goleta's capacity thresholds.

Table TC-5
Existing + Project Roadway Traffic Volumes

Roadway Segment	Acceptable Capacity	Existing ADT	Existing + Project ADT	+% Δ	Impact?
Storke Rd n/o Hollister Ave	34,000	33,800	**34,198**	1.2%	**Yes**
Storke Rd s/o Hollister Ave	34,000	17,600	17,771	1.0%	No
Hollister Ave w/o Storke Rd	34,000	26,300	26,357	0.2%	No
Hollister Ave e/o Storke Rd	34,000	20,900	21,127	1.1%	No
Hollister e/o Los Carneros	34,000	13,700	13,814	0.8%	No
Los Carneros s/o US 101	34,000	24,200	24,484	1.2%	No

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Based on the application of the aforementioned trip generation rates and trip distribution scenario, Table TC-5 indicates that project generated traffic would result in a potentially significant impact on the roadway capacity of Storke Road north of Hollister pursuant to the City's adopted traffic impact thresholds. The traffic study submitted by the applicant notes that planned transportation improvements pursuant to the Transportation Element of the City's General Plan call for widening/land reconfiguration of Storke Road (Policy TE 5.12), and that when completed, roadway capacity of this segment of Storke Road would increase to 47,000 ADT, well above that needed to adequately accommodate existing + project traffic volumes. However, because project generated traffic on Storke Road between Hollister and the highway constitutes a project specific, potentially significant impact, reliance on future capital improvements to address impacts posed by the project itself is not considered adequate mitigation under CEQA. Therefore, project impacts to roadway capacity on Storke Road between Hollister Avenue and U.S. Highway 101 remain potentially significant.

Intersection Operations

a,c) Traffic impacts tend to be most severe at critical street intersections during the peak morning (AM) and afternoon (PM) travel hours. The City's thresholds for intersection impacts are based on the PM peak hour since this is typically the time of day that City intersections experience their highest traffic volumes. To assess potential intersection operational impacts posed by the project, the applicant's traffic consultant applied the AM and PM peak hour trip generations rates from the ITE's *Trip Generation Manual, 8th edition* and the trip distribution scenario provided above to calculate intersection operations using both the ICU methodology for signalized intersections and HCM methodology for unsignalized intersections within the project's travelshed. Table TC-6 summarizes estimated PM peak hour traffic volumes for both existing and existing + project traffic volumes using these methodologies.

Table TC-6
Existing + Project PM Peak Hour Levels of Service

Intersection	Existing		Existing + Project		Project Added Trips	Impact?
	ICU	LOS	ICU	LOS		
101 NB Ramps/Storke Rd	0.69	B	0.70	B	24	No
101 SB Ramps/Storke Rd	0.73	C	0.73	C	37	No
Hollister Ave/Marketplace Dr	0.54	A	0.54	A	5	No
Hollister Ave/Storke Rd	0.74	C	0.75	C	58	No
Marketplace Dr/Storke Rd	0.53	A	0.53	A	16	No
Hollister Ave/Cortona Dr[(a)]	13.4 sec.	B	13.8 sec.	B	75	No
101 NB Ramps/Los Carneros Rd	0.53	A	0.54	A	19	No
101 SB Ramps/Los Carneros Rd	0.78	C	0.78	C	27	No
Los Carneros Rd/Calle Koral	0.71	C	0.71	C	27	No
Los Carneros Rd/Castilian Dr	0.65	B	0.65	B	27	No
Hollister Rd/Los Carneros Rd	0.67	B	0.68	B	21	No

a) *Unsignalized intersection w/LOS based on average weighted control delay per vehicle in seconds*

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

As can be seen from Table TC-6, project generated traffic during the PM peak hour would represent an adverse, but less than significant, project specific impact at all critical travelshed intersections within the City.

b,d) The Santa Barbara County Association of Governments (SBCAG) has developed a set of traffic impact thresholds to assess the impacts of land use decisions made by local jurisdictions on regional transportation facilities located within the Congestion Management Program (CMP) roadway system. The following guidelines were developed by SBCAG to determine the significance of project-generated traffic impacts on the regional CMP system. For any roadway or intersection operating at LOS A or B, a decrease of two levels of service resulting from the addition of project-generated traffic represents a significant CMP impact. For any roadway or intersection operating at LOS C, project-added traffic that results in LOS D or worse represents a significant CMP impact. For intersections within the CMP system with existing congestion (LOS D to F), Table TC-7 defines significant CMP impacts.

Table TC-7

Level of Service	Project Added Peak Hour Trips
D	20
E	10
F	10

The following project travelshed intersections are located within the CMP network:

- ✓ Storke Road/U.S. 101 NB Ramps
- ✓ Storke Road/U.S. 101 SB Ramps
- ✓ Storke Road/Hollister Avenue
- ✓ Los Carneros Road/U.S. 101 NB Ramps
- ✓ Los Carneros Road/U.S. 101 SB Ramps
- ✓ Los Carneros Road/Hollister Avenue

As none of these intersections operate at LOS D or worse, and no intersection's LOS would degrade to LOS D or by two or more levels of service where existing LOS is A or B, project specific impacts on the CMP would be considered less than significant based on SBCAG's CMP impact criteria.

e) The project site does not lie within any clear or approach zone of the Santa Barbara Municipal Airport (SBMA). There are no other public or private airports on the South Coast. Therefore, the proposed project would have no impact on airport operations and/or flight patterns.

f) Access to the project site would be provided via one new driveway onto Cortona Drive. The driveway would be designed to provide an inbound and outbound lane that would be separated by a raised median island. The outbound driveway approach would be stop controlled at the Cortona Drive intersection. The project traffic study utilized the methodology outlined in the Freeway Capacity Manual for two-way stop sign controlled intersection operations. Table TC-8 presents the estimated peak hour LOS for the project driveway.

Table TC-8

Intersection	AM Peak Hour Delay/LOS	PM Peak Hour Delay/LOS
Project <u>Driveway/Cortona Dr</u>		
Inbound	7.3 sec./LOS A	8.1 sec./LOS A
Outbound	9.7 sec./LOS B	11.1 sec ./LOS B

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

As shown in Table TC-8, the location and design of the project's driveway off Cortona Drive would not result in delays of inbound or outbound vehicles that could result in a significant traffic hazard. Cortona Drive in the vicinity of the project site curves southwestward from its eastern approach at a centerline turn radius of 300-feet and has a posted speed limit of 25 mph. The Caltrans

Highway Design Manual establishes a safe stopping sight distance for 25 mph roadways of 125-feet in both directions. Sight distance for vehicles entering the roadway at the proposed driveway entrance is substantially greater than 125-feet in both directions. The roadway is paved with double yellow divider and two, twelve-foot wide travel lanes. Given this roadway configuration, there are no potentially significant roadway hazards due to any design feature (e.g., sharp curves or dangerous intersections) that could affect project residents or travelers on Cortona Drive. There are no neighboring, incompatible uses (e.g., farm equipment) that would create a traffic hazard in the area.

g) The County Fire Department has reviewed the proposed project and indicated that adequate emergency/fire vehicular access is available. As such, the proposed project does not represent any impact on the provision of emergency access to either the project, or surrounding development.

h) In response to Transportation Element Policy TE 7.12, the applicant has prepared plans for the development of a new MTD bus stop. The MTD had previously requested such a stop at Coromar Drive and Hollister Avenue to serve both project residents as well as others needing and/or desiring public transportation services in the area in conjunction with a stop at Cortona and Hollister that had been required of the Rincon Palms hotel project. However, as the timing of development of the Rincon Palms project is unknown, it may be appropriate to move the stop proposed by the applicant from Coromar/Hollister to Cortona/Hollister. Such flexibility in bus stop siting would ensure that future residents of the proposed project would have improved access to the MTD, regardless of when a hotel is constructed at the northeast corner of Storke/Hollister.

In addition, SBCAG staff have advised City staff that a future commuter rail stop is envisioned in the area of the project site with pedestrian access from the railroad stop to the surrounding business parks and residential development. As designed, the proposed project does not include any area reserved for such use in the future. However, given that such a facility is only speculative at this time, is not incorporated into any adopted City or regional transportation agency intermodal transportation plan, and no easements for such a facility have been obtained from the applicant, the failure to reserve space for such a future use is not considered a potentially significant, adverse impact on any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety or such facilities in a significant manner.

<u>Cumulative Impacts</u>

The applicant's traffic engineer prepared a forecast of cumulative traffic volumes using the City's traffic model which was updated in December, 2009. The cumulative forecasts include traffic generated by approved and pending projects proposed within the City of Goleta as well as development of the UCSB Long Range Development Plan (LRDP) and the Santa Barbara Municipal Airport Specific Plan. The traffic model also assumes key roadway improvements that are planned in the Goleta area. Such improvements include; 1) construction of a new freeway overcrossing that would be located between the Hollister Avenue and Storke Road interchanges, 2) construction of a western leg at the Los Carneros Road/Calle Koral intersection to provide access to the Village at Los Carneros Residential Project located west of the intersection, and 3) construction of a northern leg at the Hollister Avenue/Marketplace Drive intersection to provide access to the proposed Westar Mixed-Use Project. Cumulative + Project ADT volumes and their potential impact significance using the City's adopted thresholds for cumulative traffic impacts are shown in Table TC-9.

TC-9
Cumulative & Cumulative + Project Roadway Volumes

Roadway Segment	Acceptable Capacity (ADT)	Cumulative ADT	Cumulative + Project	% Δ	Impact?
Storke Rd n/o Hollister Ave	34,000	40,100	40,498	1.0	No
Storke Rd s/o Hollister Ave	34,000	27,000	27,171	0.6	No
Hollister Ave w/o Storke Rd	34,000	32,700	32,757	0.2	No
Hollister Ave e/o Storke Rd	34,000	30,000	30,227	0.8	No
Hollister Ave e/o Los Carneros Rd	34,000	15,900	16,014	0.7	No
Los Carneros Rd s/o US 101	34,000	32,700	32,984	0.9	No

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

As can be seen from Table TC-9, cumulative roadway conditions are anticipated to exceed the acceptable capacity of the segment of Storke Road between the highway and Hollister Avenue with buildout of the projects on the City's cumulative project's list, expansion of the airport, and buildout of the University's LRDP. However, because the addition of project generated traffic to anticipated cumulative ADT does represent a change in excess of 1.0%, project contributions to this exceedence of the acceptable capacity on this segment of Storke Road would be considered less than significant pursuant to the City's thresholds. All other project contributions to cumulative roadway traffic volumes would also be considered less than significant. Finally, pursuant to City ordinance, the project developer would be required to pay traffic development impact fees to help fund future roadway improvements in the City at the time of the issuance of any LUP for construction of residential units.

The project traffic engineer calculated cumulative and cumulative + project levels of service for the project travelshed for the AM and PM peak hour as shown in Tables TC-10 and TC-11 as well as identifying the significance level of project contributions to such cumulative impacts.

Table TC-10
Cumulative & Cumulative + Project AM Peak Hour LOS

Intersection	Cumulative		Cumulative + Project		ΔV/C	Impact?
	ICU	LOS	ICU	LOS		
US 101 NB Ramps/Storke Rd	0.75	C	0.75	C	0.001	No
US 101 SB Ramps/Storke Rd	0.93	E	0.94	E	0.008	No
Hollister Ave/Marketplace Dr	0.57	A	0.57	A	-0-	No
Hollister Ave/Storke Rd	0.73	C	0.74	C	0.003	No
Marketplace Dr/Storke Rd	0.39	A	0.39	A	0.001	No
Hollister Ave/Cortona Dr(a)	8.3 sec	A	9.4 sec	A	N/A	No
US 101 NB Ramps/Los Carneros Rd	0.65	B	0.65	B	0.002	No
US 101 SB Ramps/Los Carneros Rd	0.65	B	0.65	B	0.001	No
Los Carneros Rd/Calle Koral	0.63	B	0.63	B	0.001	No
Los Carneros Rd/Castilian Dr	0.50	A	0.51	A	0.012	No
Hollister Ave/Los Carneros Rd	0.48	A	0.48	A	0.005	No

a) Unsignalized intersection. LOS based on average weighted control delay per vehicle in seconds. LOS calculations assume SB approach from Cortona Dr onto Hollister Ave restriped to provide for one left and one right hand turn lane as part of the Rincon Palms Hotel project.

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Table TC-11
Cumulative & Cumulative + Project PM Peak Hour LOS

Intersection	Cumulative		Cumulative + Project		ΔV/C	Impact?
	ICU	LOS	ICU	LOS		
US 101 NB Ramps/Storke Rd	0.74	C	0.75	C	0.004	No
US 101 SB Ramps/Storke Rd	0.89	D	0.89	D	0.005	No
Hollister Ave/Marketplace Dr	0.64	B	0.65	B	0.001	No
Hollister Ave/Storke Rd	0.91	E	0.92	E	0.008	No
Marketplace Dr/Storke Rd	0.65	B	0.65	B	0.001	No
Hollister Ave/Cortona Dr[(a)]	**36.8 sec**	**E**	**41.1 sec**	**E**	**N/A**	**Yes**
US 101 NB Ramps/Los Carneros Rd	0.65	B	0.65	B	0.005	No
US 101 SB Ramps/Los Carneros Rd	0.98	E	0.99	E	0.005	No
Los Carneros Rd/Calle Koral	0.88	D	0.89	D	0.004	No
Los Carneros Rd/Castilian Dr	0.77	C	0.78	C	0.006	No
Hollister Ave/Los Carneros Rd	0.81	D	0.81	D	0.006	No

a) Unsignalized intersection. LOS based on average weighted control delay per vehicle in seconds. LOS calculations assume south-bound approach from Cortona Dr onto Hollister Ave restriped to provide for one left and one right hand turn lane as part of the Rincon Palms Hotel project.

Source: Cortona Apartments Project Traffic Study, Associated Traffic Engineers, January 22, 2010.

Based on this analysis, the following intersections with or without project added traffic in the cumulative condition would operate below the City's acceptable standard of C:[1]

- ✓ US 101 SB Ramps/Storke Rd
- ✓ Hollister Ave/Storke Rd
- ✓ Hollister Ave/Cortona Dr
- ✓ US 101 SB Ramps/Los Carneros Rd
- ✓ Los Carneros Rd/Calle Koral
- ✓ Hollister Ave/Los Carneros Rd

[1] Pursuant to Policy TE 4.2 and Table 7-1, the acceptable LOS for the Storke Rd/Hollister Ave intersection is D (V/C $\leq$ 0.89).

However, pursuant to the City's adopted thresholds for the significance of a project's contribution to cumulative impacts, the increase in the V/C ratio resulting from project generated traffic would not trigger any threshold for signalized intersections, even for signalized intersections forecast to operate at LOS E or worse.

It should be noted that project contributions to the cumulative condition of the Hollister Avenue/Cortona Drive unsignalized intersection would be considered potentially significant. It should be noted that cumulative as well as cumulative + project LOS estimations for Hollister/Cortona were based on the assumption that the Rincon Palms project would restripe the south-bound approach to Hollister on Cortona. However, because processing of the Rincon Palms project is currently on hold, and reliance on mitigation from another, unapproved project is not considered adequate pursuant to CEQA, the actual estimate of cumulative and cumulative + project LOS for this intersection cannot make any assumption regarding mitigation that might be provided by another project. Therefore, City staff estimate that the LOS of the Hollister/Cortona intersection in the cumulative and cumulative + project could be substantially worse than E. Under either scenario however, project contributions to cumulative traffic impacts at Hollister/Cortona remain potentially significant.

Preliminary Mitigation Measures

Feasible mitigation measures, if any, to address project specific impacts to roadway operations on Storke Road between Hollister Avenue and US 101 would be identified and evaluated in the project EIR as would options for addressing potential project generated overflow parking onto City streets. The EIR will also identify and evaluate feasible mitigation measures to address the project's significant contributions to cumulative impacts on intersection operations at Hollister/Cortona.

Residual Impact

To be determined based on what, if any, mitigation is identified for potentially significant project impacts to roadways and intersection operations within the City.

EIR Scope-of-Work

1. The EIR consultant shall peer review the applicant's traffic study (ATE; January 22, 2010) and establish the project's traffic related environmental baseline for the project's travelshed as defined and directed by City Planning and Community Services staff.
2. The EIR consultant shall describe the criteria for determining the significance of any public service/facility impacts resulting from the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to transportation and circulations systems.
3. The EIR consultant shall identify and discuss project-specific and cumulative impacts, for both roadway operations and the AM and PM peak hour intersection operations.
4. The EIR consultant shall conduct a CMP cumulative analysis and identify and evaluate project related impacts as appropriate.

6. The EIR consultant shall provide a statement of residual impacts.

UTILITIES AND SERVICE SYSTEMS

Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**	**See Prior Document**
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		■			
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		■			
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			■		
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded entitlements needed?		■			
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		■			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	■				
g. Comply with federal, state, and local statutes and regulations related to solid waste?			■		

<u>Existing Setting</u>

Wastewater Treatment

The Goleta West Sanitary District (GWSD) provides sewer service in the project area via its system of sewer mains that ultimately connect to the Goleta Sanitary District's (GSD) main treatment plant a 1 William Moffett Place next to the Santa Barbara Municipal Airport. Treatment of wastewater collected by GWSD is provided through a contract with the GSD. The GSD treatment plant has a capacity of 9.7 million gallons per day (based on average daily flow) but is currently limited to a permitted discharge of 7.64 million gallons per day pursuant to a National Pollutant Discharge Elimination System (NPDES) permit issued by the US Environmental Protection Agency (EPA) in concurrence with the States' Central Coast Regional Water Quality Control Board (CCRWQCB). The GWSD is allocated 40.78 percent of the capacity at the sewage treatment plant, which equates to about 3.12 million gallons per day (mgpd). The GWSD currently generates approximately 1.71 mgpd of sewage that is treated at the GSD plant, resulting in about 1.41 mgpd of remaining capacity in the GWSD's existing system.

Water Supply
The Goleta Water District (GWD) is the water purveyor for the City of Goleta. The GWD operates under the *Wright Judgment* which prohibits overdrafting of the Goleta Groundwater Basin (GGWB) and mandated a return of the basin to a hydrologically balanced condition in 1998. The District draws its water supply from Lake Cachuma (9,322 acre feet/year or AFY), the State Water Project (4,500 AFY), the GGWB (2,350 AFY), and wastewater reclamation (3,000 AFY) for a total yearly supply of 19,172 AFY for a normal rainfall year (*Goleta Water District Water Supply Assessment*, May 22, 2008). Average current demand for GWD water (2007) is 15,554 AFY (*GWD Water Assessment*, May 22, 2008).

Landfill Capacity and Solid Waste
The Santa Barbara County Public Works Department owns and operates the Tajiguas Landfill as well as the South Coast Recycling and Transfer Station. The management of solid waste by the Department includes collection, recycling, disposal, and mitigation for illegal dumping. Within the City, collection services are provided by Marborg Industries. Waste generated in the City is handled at the South Coast Recycling and Transfer Station where recyclable and organic materials are sorted out. The remaining solid waste is transported to and disposed of at the Tajiguas Landfill. The 80-acre Tajiguas Landfill, located 26 miles west of Santa Barbara, has a permitted capacity of 23.3 million cubic yards and is permitted to operate through 2020. The South Coast recycling and transfer Station processes 550 tons of waste per day.

Drainage Facilities
The subject property is undeveloped and is relatively flat to gently sloping. Drainage is by sheetflow in a southerly to direction to the existing curb/gutter on Cortona Drive. Existing drainage facilities in the area include a series of storm drains systems associated with existing development, roadways, and flood control facilities.

Thresholds of Significance

A significant impact on utilities and service systems would be expected to occur if the proposed project resulted in any of the impacts noted in the above checklist. In addition, under the City's *Environmental Thresholds and Guidelines Manual*, a project that would generate 196 tons of solid waste/year, after receiving a 50% credit for source reduction, recycling, and composting, would result in a project specific, significant impact on the City's solid waste stream. Any project generating 40 tons/year, after receiving a 50% credit for source reduction, recycling, and composting would be considered to make an adverse contribution to cumulative impacts to the City's solid waste stream.

Project Specific Impacts

a,b,e) Applying the GWSD's wastewater generation rate of 184 gallons/day (gpd) per equivalent residential unit (ERU), total project generated wastewater effluent would be 31,464 gallons per day (gpd). This represents approximately 2.23% of the 1.41 mgpd remaining allocated capacity of the GWSD. Therefore, the quantity of wastewater estimated to be generated by the proposed project would not exceed GWSD's sewage collection system and treatment capacity. However, the applicant has yet to provide a Sewer Service Connection Permit from the GWSD to ensure that the District's excess capacity can be utilized to serve this project. Until such a commitment is given by the GWSD, a final determination as to the availability of sewer service by the GWSD to serve the proposed project cannot be made. Therefore, the proposed project would result in a potentially significant impact on the availability and adequacy of sewage disposal service for the proposed project.

c) All stormwater runoff from the project site would flow into the curb/gutter on Cortona and subsequently to one of two catch basins within the roadway east of the property where it would enter the City's stormdrain system that discharges into Tecolotito Creek at the eastern terminus of Cortona Drive. To ensure that post-development discharges offsite do not exceed the pre-development condition, the applicant is proposing to install a drainage collection and conveyance system that includes the following onsite improvements:

- ✓ Roof runoff discharged via gutters and downspouts to landscaped areas for filtration and percolation;
- ✓ Runoff from landscaped areas to be directed to catch-basins and onsite stormdrain system;
- ✓ Water collected by the catch-basins and conveyed by stormdrains to an underground detention and infiltration system with a 30,000 cu. ft. capacity; and,
- ✓ Stormwater from the detention/infiltration system would be discharged below pre-development rates to the curb/gutter on Cortona Drive.

Per the submitted drainage analysis for the project, pre-construction peak flows for the 2-year event would be 2.94 cfs, for the 5-year event 7.60 cfs, for the 10-year event 11.12 cfs, for the 25-year event 15.77 cfs, and for the 100-year event 22.84 cfs (Flowers & Associates, November 4, 2009). Post-development peak flows subject to the proposed drainage control infrastructure (e.g. onsite surface infiltration areas, catch basins, stormdrains, underground storage/percolation improvements, etc) are estimated at 2.91 cfs for the 2-year event, 5.41 cfs for the 5-year event, 10.65 cfs for the 10-year event, 15.76 for the 25-year event, and 17.07 cfs for the 100-year event.

None of the proposed stormwater control system would be constructed in any sensitive resource area onsite nor would project discharges into Tecolotito Creek necessitate additional drainage/erosion control improvements within the creek channel since the post-development discharge rate for the two year up to the 100 year events would remain below the pre-development condition. Therefore, construction of needed drainage control system elements would not result in any significant impact on sensitive environmental resources, either on or off site.

d) The City's adopted *Environmental Thresholds and Guidelines Manual* includes water duty demand rates for a variety of land uses. For residential development at approximately 20 units/acre (the proposed project is at 19.3 units/gross acre), the per unit duty demand factor is 0.23 acre feet/year (AFY). In addition to domestic consumption, project landscaping is estimated to consume approximately 0.04 AFY/1,000 SF. Applying these demand factors to the proposed project, domestic water for project would be 39.33 AFY and demand for landscaping water would be 6.53 AFY for a total estimated water demand of 45.86 AFY. Given the GWD's existing supply of 3,618 AFY above its current demand (15,554 AFY), project water demand represents 1.3% of this supply above current demand levels. Therefore, it appears that the GWD has sufficient water to supply the proposed project without necessitating acquisition of additional water entitlements and/or construction of new water supply facilities. However, the applicant has yet to provide a Can and Will Serve letter from the GWD. Until such a commitment is given by the GWD, a final determination as to the availability of an adequate water supply to serve the proposed project cannot be made. Therefore, the availability and adequacy of the GWD's water supply to serve the proposed project is considered a potentially significant water supply impact.

f) The City's *Environmental Thresholds and Guidelines Manual* provides solid waste generation factors for a variety of land uses. Using the rate for multi-family residential development (2.65 people/unit x 171 units x 0.95 tons/year = 430.5 tons/year), the proposed project would generate approximately 430.5 tons per year. The quantity of solid waste to be disposed of at landfills (non-recycled waste) is typically estimated at 50 percent of the total volume of solid waste generated. The non-recycled waste from the proposed project is therefore estimated at 215.25 tons per year. This amount is well in excess of the City's project specific threshold of 196 tons per year. Therefore, the proposed project's specific impact on solid waste disposal capacity at the Tajiguas Landfill would be considered potentially significant.

g) The proposed project would not result in the generation of any solid waste that did not comply with federal, state, and local statutes and regulations related to solid waste. Associated impacts would be less than significant.

<u>Cumulative Impacts</u>

As the proposed project would not necessitate the need for new drainage control facilities that could impact sensitive environmental resources, project contributions to such cumulative impacts would be considered less than significant. Since project generated effluent and water demand is considered potentially significant, project contributions to cumulative water and service demand would also be considered potentially significant. Finally, given that the project would resulting in a potentially significant, project specific solid waste impact, its contribution to cumulative solid waste impacts would also be considered potentially significant.

Preliminary Mitigation Measures

1. The applicant shall obtain and submit to the City a Can and Will Serve letter for the project from the Goleta Water District (GWD). **Plan Requirements and Timing:** The required GWD Can and Will Serve letter shall be submitted to City staff prior to issuance of any LUP for the proposed project.

   Monitoring: City staff shall verify compliance prior to issuance of any LUP for the project.

2. The applicant shall obtain and submit to the City a current Connection Permit from the Goleta West Sanitary District (GWSD). **Plan Requirements and Timing:** The required GSD Connection Permit shall be submitted to City staff prior to issuance of any LUP for the proposed project.

   Monitoring: City staff shall verify compliance prior to issuance of any LUP for the project.

3. Outdoor water use shall be minimized. **Plan Requirements:** The following measures shall be implemented in the final landscape plan:

   a) The final landscaping shall use native and/or drought tolerant species;
   b) Drip irrigation or other water-conserving irrigation shall be installed;
   c) Plant material shall be grouped by water needs;
   d) Turf shall constitute less than 20% of the total landscaped area proposed under the final landscape plan;
   e) No turf shall be allowed on slopes of over 4%;
   f) Extensive mulching (2" minimum) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction; and
   g) Soil moisture sensing devices shall be installed to prevent unnecessary irrigation.

   Timing: The final landscape plan shall include these requirements and shall be reviewed and approved by City staff and DRB. The applicant shall implement all elements of the final landscape plan prior to final inspection.

   Monitoring: Prior to final inspection, City staff shall verify installation according to plan.

4. Indoor water use shall be minimized. **Plan Requirements:** The following measures shall be implemented in project building plans:
   a) All hot water lines shall be insulated;
   b) Re-circulating, point-of-use, or on-demand water heaters shall be installed;
   c) Self regenerating water softening shall be prohibited in all structures; and
   d) Lavatories and drinking fountains in public areas shall be equipped with self-closing valves, as determined necessary by Planning and Environmental Services.

Timing: Project building plans shall include these requirements. Indoor water conserving measures shall be implemented prior to occupancy clearance.

Monitoring: Prior to final inspection, City staff shall inspect to verify installation according to the approved building plans.

5. Recycled/non-potable water, if available, shall be used for all dust suppression activities during grading and construction. **Plan Requirements and Timing:** This measure shall be included as a note on all plans submitted for any LUP, grading, and/or building permit. Evidence of availability, or lack thereof, of recycled/non-potable water for dust suppression shall be provided to the City prior to issuance of any LUP and/or grading permit for the project.

   Monitoring: City staff shall site inspect to ensure that reclaimed/non-potable water is being used for dust suppression unless the applicant demonstrates to the satisfaction of City staff that such water is not available for dust suppression purposes.

6. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete and asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements and Timing:** This requirement shall be printed on all plans submitted for any LUP, grading permit, and/or building permit. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

   Monitoring: City staff shall verify compliance through all phases of permitting and construction.

7. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. The plan shall include the following measures, but is not limited to those measures. Said plan shall indicate how a 50% diversion goal shall be met during construction. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material (a copy of contract to be provided to the City). Recoverable construction material shall include but not be limited to asphalt, lumber, concrete, glass, metals, and drywall. At the end of the project, the applicant/developer shall submit a Post-Construction Waste Reduction & Recycling Summary Report documenting the types and amounts of materials that were generated during the project and how much was reused, recycled, composted, salvaged, or landfilled. **Plan Requirements and Timing:** This requirement shall be printed on all LUP, grading and construction plans. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to final inspection.

Monitoring: City staff shall site inspect during construction and prior to permit compliance sign-off to ensure waste reduction and recycling components are established and implemented.

8. The applicant shall develop and implement a Solid Waste Management Program. The program shall identify the amount of waste generation estimated during processing of the project. **Plan Requirements:** The program shall include, but is not limited to, the following measures:

   a) Provision of a recyclable materials storage area of at least 50 SF within the project site that is approved by Marborg.
   b) Implementation of a green waste source reduction program focusing on recycling of all green waste generated onsite.
   c) Development of a Source Reduction Plan (SRP), describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project.
   d) Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). The program could include requesting suppliers to show recycled materials content. To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs.

   Timing: The applicant shall submit a Solid Waste Management Program to the City for review and approval prior to approval of any LUP for the project. All program components shall be implemented prior to occupancy clearance and shall be maintained in perpetuity.

   Monitoring: Prior to final inspection, City staff shall ensure compliance with the Solid Waste Management Plan.

Residual Impact

To be determined.

EIR Scope-of-Work

1. The EIR consultant shall peer review the applicant's drainage report and establish the hydrological environmental baseline for the proposed project. The EIR consultant shall also establish the project's environmental baseline for water supply, sewer service, and solid waste disposal.
2. The EIR consultant shall describe the criteria for determining the significance of any public service/facility impacts resulting from the proposed project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to the provision of adequate utilities and services.

3. The EIR consultant shall identify and evaluate project specific impacts, as well as project contribution to cumulative impacts, on utility systems including water, sewer, and solid waste disposal, as well as drainage control facilities.
4. The EIR consultant shall review and evaluate the feasibility and effectiveness of the mitigation measures identified in the initial study for impacts to water, sewer service, solid waste disposal, and drainage control facilities, as well as identify and discuss other feasible mitigations measures to reduce potentially significant impacts to less than significant levels as appropriate.
5. The EIR consultant shall provide statement of residual impacts.

MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	See Prior Document
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	■				
b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?				■	
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	■				
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■				

15. PREPARERS OF THE PROPOSED FINAL MITIGATED NEGATIVE DECLARATION, CONTACTS, AND REFERENCES

This document was prepared by City of Goleta Planning and Environmental Services Department staff.

Contributors and Contacts: The following individuals participated in the analysis of the proposed project or otherwise furnished information vital to preparation of this document.

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Steve Wagner, Director of Public Works
Patricia Miller, Planning Manager
Jim Biega, Contract Traffic Engineer
Marti Schultz, Principal City Engineer
Public Agencies
Carrie Bennett, Goleta Water District
Captain Glenn Fidler, Santa Barbara County Fire Department
Eric Gage, Santa Barbara Air Pollution Control District
Molly Pearson, Santa Barbara County Air Pollution Control District
Nick Bruckbauer, Santa Barbara County Flood Control District
Chris Shaeffer, Caltrans District 5

References: The following documents were consulted during preparation of this document and form the basis of the relevant findings and conclusions:

Bay Area Air Quality Management District, *Resolution No. 2010-06*, June 2010.

California Air Pollution Control Officers Association (CAPCOA) Technical Advisory; *CEQA and Climate Change: Addressing Climate Change Through the California Environmental Quality Act (CEQA) Review* dated June 19, 2008, available at the OPR website, www.opr.ca.gov.

CAPCOA*; CEQA & Climate Change,* January 2008

California Air Resources Board (CARB); *Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, Preliminary Draft Staff Proposal,* October 24, 2008

City of Goleta, *Environmental Thresholds and Guidelines Manual, 2003*

City of Goleta, *General Plan/Coastal Land Use Plan, 2006*

City of Goleta General Plan *Background Report No. 25,* June 20, 2004

City of Goleta *General Plan/Coastal Land Use Plan EIR*, September, 2006

City of Goleta Stormwater Management Plan, February, 2010

Department of Justice, Office of the California Attorney General; *Global Warming Measure,* December 9, 2008

Governor Arnold Schwarzenegger; *California Executive Order S-3-05*, 2005

Governor Arnold Schwarzenegger, Assembly Bill 32, *The California Global Warming Solutions Act of 2006, Assembly Bill 32*, Health and Safety Code Section 38500 et. seq.

Governor's Office of Planning and Research; *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review,* June 2008

Governor's Office of Planning and Research; *OPR Proposed CEQA Guidelines Amendments,* April 2009

Governor's Office of Planning and Research*; Senate Bill 97, 2007*

ICF Jones and Stokes; *Goleta General Plan/Coastal Land Use Plan Supplemental Environmental Impact Report*, July 2009

Intergovernmental Panel on Climate Change: http://www.ipcc.ch/

Montreal Protocol: http://www.unep.org/ozone/pdfs/montreal-protocol2000.pdf

Sacramento Metropolitan Air Quality Management District*; CEQA Guide,* June 2009

Santa Barbara County, Air Pollution Control District, *Clean Air Plan, 2008:* http://www.sbcapcd.org/cap.htm

State of California, Air Resources Board, *Preliminary Draft Staff Proposal Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act*, 2008: http://www.arb.ca.gov/cc/localgov/ceqa/meetings/102708/prelimdraftproposal102408.pdf

State of California, California Energy Commission: http://www.energy.ca.gov/

Goleta Water District, *Water Supply Assessment*, May 22, 2008

US Soil Conservation Service, *Soil Survey of Santa Barbara County, South Coastal Part*

Federal Emergency Management Agency, Flood Insurance Rate Map Santa Barbara County, California (Panel 1362 of 1835; Map Number 06083C1352F), September 30, 2005.

CSA Architects Architectural, Site, and Landscaping Plans, February 3, 2010

Flowers & Associates, Preliminary Grading & Drainage Plan, October 30, 2009

Flowers & Associates, *Preliminary Drainage Analysis, Cortona Apartments* November 4, 2009

ATE, *Cortona Apartments Project Traffic & Circulation Study*, January 22, 2010

Hoover & Associates, *Preliminary Soil Engineering & Geological Hazards Evaluation, 8.82 Bermant Parcel*, January 23, 1998

Fuscoe Engineering, Inc., *Preliminary Hydrology Study for the Joslyn Properties*, April 4, 2000

Rachel Tierney Consulting, *Biological Assessment, 6830 Cortona Drive*, August 14, 2009

Wilcoxon Archaeological Consultants, *Results of a Limited Archaeological Subsurface Testing Program in Conjunction with Future Commercial Development*, February 7, 1998
Duke McPherson, *Tree Protection Plan, 6830 Cortona Drive*, April 23, 2009

16. ATTACHMENTS:

1. City of Goleta Agricultural Suitability and Productivity, Initial Study Screening Assessment
2. Project Plans (11” x 17” reductions)

ATTACHMENT 1
City of Goleta Agricultural Suitability and Productivity
Initial Study Screening Assessment

1.	**Parcel Size** 5-10 acres (4-6 points)	Assigned	5
2.	**Soil Classification** Class I (14-15 points)	Assigned	14
3.	**Water Availability** Land does not have developed water but adequate supply potentially available (3-7 points)	Assigned	5
4.	**Agricultural Suitability** Highly Suitable for irrigated grain, truck, or orchard crops (8-10 points)	Assigned	8
5.	**Existing/Historic Use** Vacant land; fallow or never planted (1-3 points)	Assigned	3
6.	**General Plan Designation** Residential, 5 acres or less (0 points)	Assigned	0
7.	**Adjacent Land Uses** Immediately surrounded w/urban uses & no buffers (0-2)	Assigned	1
8.	**Agricultural Preserve** Cannot qualify (0 points)	Assigned	0
9.	**Combined Farming Operations** No combined operations (0 points)	Assigned	0

Total Points Assigned **36**

ATTACHMENT 2
Project Plans (11” x 17” reductions)

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
http://www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor

CITY OF GOLETA
CALIFORNIA
AUG 25 2010
RECEIVED

August 19, 2010

Alan Hanson
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Fax #: (805) 961-7551

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Cortona Apartments, SCH #2010071061

Dear Mr. Hanson:

The Department of Fish and Game (Department) has reviewed the above-referenced Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Cortona Apartments relative to impacts to biological resources. The proposed project would include 171 apartments comprised of one, two, and three bedroom units contained within seven two-story buildings and one three-story building with a total residential square-footage of 165,483. Additional amenities would include a 2,491 square foot communal recreational building, a 1,125 square foot swimming pool/spa, a 672 square foot maintenance building, 322 parking spaces and drive aisles, landscaping, exterior lighting, and an internal system of pedestrian pathways. Project grading would consist of 5,700 cubic yards of cut and 8,500 cubic yards of fill (net import of 2,800 cubic yards of fill).

The Department is California's trustee agency for fish and wildlife resources, holding these resources in trust for the People of the State pursuant to various provisions of the California Fish and Game Code. (Fish & G. Code, §§ 711.7, subd. (a), 1802.) The Department submits these comments in that capacity under the California Environmental Quality Act (CEQA). (See generally Pub. Resources Code, §§ 21070; 21080.4.) Given its related permitting authority under the California Endangered Species Act (CESA) and Fish and Game Code section 1600 *et seq.*, the Department also submits these comments likely as a responsible agency for the Project under CEQA. (*Id.*, § 21069.)

The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the City of Goleta to minimize impacts to fish and wildlife resources with a focus on these stressors. Please let Department staff know if you would like a copy of the plan to review.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the draft Environmental Impact Report:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

   a. A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities found at: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf

   b. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use within the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.

   c. An assessment of the endangered, threatened and rare species, including all those species which meet the related definition under the CEQA Guidelines (See Cal. Code Regs., tit. 14, § 15380), should be analyzed in the CEQA document.

   d. The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 (www.dfg.ca.gov/biogeodata) to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs) or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction that are located in or adjacent to the project area must be addressed.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.

   a. CEQA Guidelines, Section 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.

   b. Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas are of concern to the Department and should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic, outdoor artificial lighting, noise and vibration.

   c. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

d. Impacts to migratory wildlife affected by the project should be fully evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.

e. Impacts to all habitats from City or County required Fuel Modification Zones (FMZ). Areas slated as mitigation for loss of habitat shall not occur within the FMZ.

f. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- September 1) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500-foot buffer for all active raptor nests).

3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian habitats, alluvial scrub, coastal sage scrub, should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.

a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed with off-site mitigation locations clearly identified.

b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts.

c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

4. An Incidental Take Permit from the Department may be required if the Project, Project construction, or any Project-related activity during the life of the Project will result in "take" as defined by the Fish and Game Code of any species protected by CESA. (Fish & G. Code, §§86, 2080, 2081, subd. (b), (c).) Early consultation with the Department regarding potential permitting obligations under CESA with respect to the Project is encouraged. (Cal. Code Regs., tit. 14, § 783.2, subd. (b).) It is imperative with these potential permitting obligations that the draft environmental impact report prepared by the City in the present case includes a thorough and robust analysis of the potentially significant impacts to endangered, rare, and threatened species, and their habitat, that may occur as a result of the proposed Project. For any such

potentially significant impacts the City should also analyze and describe specific, potentially feasible mitigation measures to avoid or substantially lessen any such impacts as required by CEQA and, if an ITP is necessary, as required by the relevant permitting criteria prescribed by Fish and Game Code section 2081, subdivisions (b) and (c). The failure to include this analysis in the Project environmental impact report could preclude the Department from relying on the City's analysis to issue an ITP without the Department first conducting its own, separate lead agency subsequent or supplemental analysis for the Project. (See, e.g., Cal. Code Regs., tit. 14, § 15096, subd. (f); Pub. Resources Code, § 21166.) For these reasons, the following information is requested:

a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.

b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

5. The Department opposes the elimination of watercourses (including concrete channels) and/or the canalization of natural and manmade drainages or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations. The Department recommends a minimum natural buffer of 100 feet from the outside edge of the riparian zone on each side of the drainage.

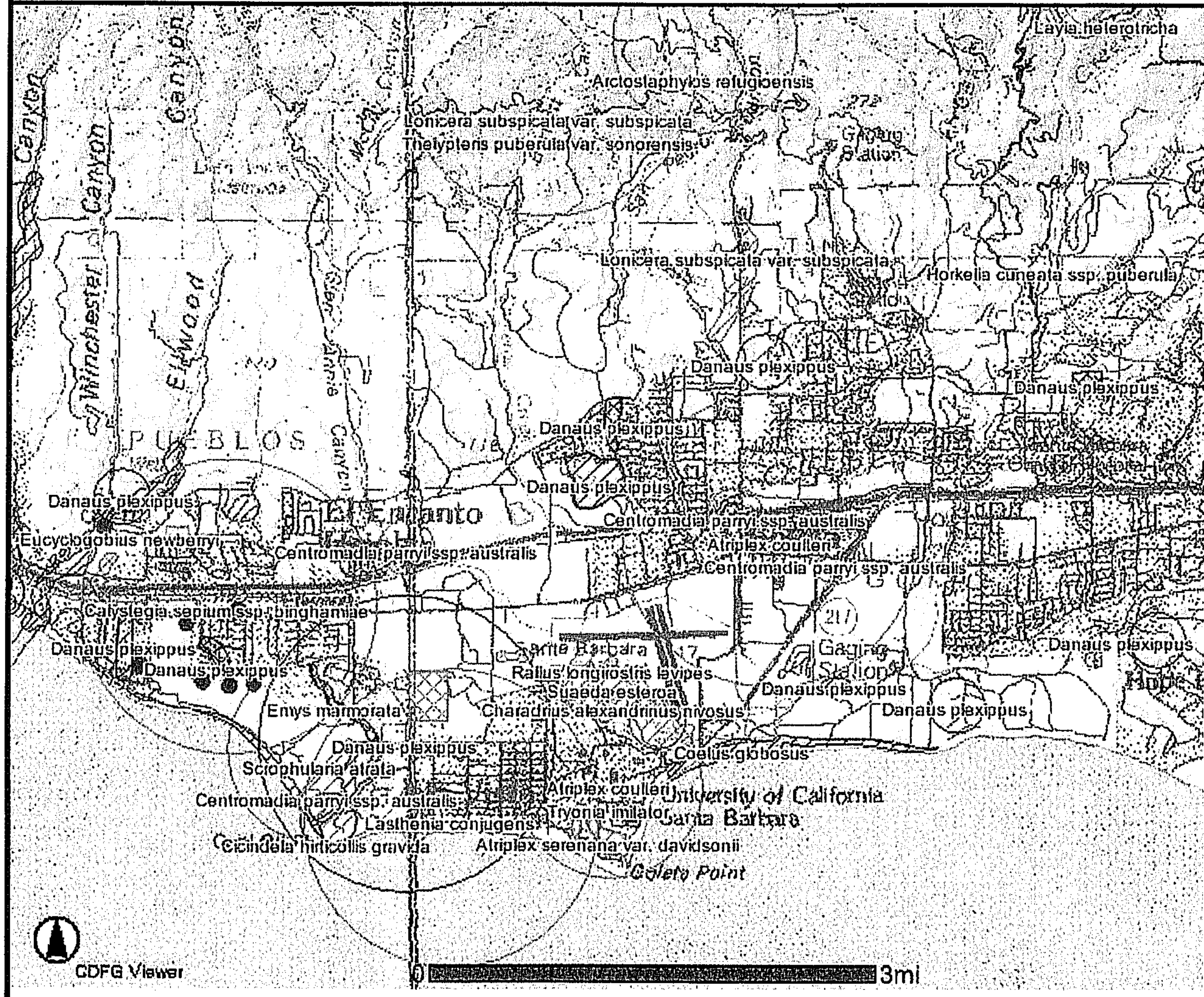
a. The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) or a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake or Stream Alteration Agreement (Agreement) is required. The Department's issuance of an Agreement is a project subject to CEQA. To facilitate issuance of an Agreement, if necessary, the environmental impact report should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. Again, the failure to include this analysis in the Project environmental impact report could preclude the Department from relying on the City's analysis to issue an Agreement without the Department first conducting its own, separate lead agency subsequent or supplemental analysis for the Project.

Department staff review of this project included the use of the Department's California Natural Diversity Database (CNDDB). This database allows spatial review of sensitive biological resources that have been reported in the past to the CNDDB staff. The attached map (Attachment) illustrates past observation locations of sensitive species in the general area of the proposed project and as such is a useful tool to evaluate potential sensitive biological resources on the project site. These observations do not represent the current status of sensitive biological resources in the area as CNDDB data is provided only by site specific projects and hence the entire map area has not been surveyed. Site specific surveys should be conducted in the manner described above, as needed.

CNDDB Results- Goleta

Info: Site available at http://imaps.dfg.ca.gov

Author: Sean Carlson
Date: 8/19/2010 9:32 AM



Map Legend

California Natural Diversity Database (gov ed) [ds45]

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terr. Comm. (80m)
- Terr. Comm. (specific)
- Terr. Comm. (non-specific)
- Terr. Comm. (circular)
- Aqu. Comm. (80m)
- Aqu. Comm. (specific)
- Aqu. Comm. (non-specific)
- Aqu. Comm. (circular)
- Western States
- Mexico

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maziar Movassaghi
Acting Director
9211 Oakdale Avenue
Chatsworth, California 91311

Arnold Schwarzenegger
Governor

August 9, 2010

Mr. Alan Hanson
City of Goleta
130 Cremona Drive, Suite B
Goleta, California 93117

NOTICE OF PREPARATION FOR THE CORTONA APARTMENTS; 09-140-DP/10-099-OA DRAFT ENVIRONMENTAL IMPACT REPORT, SCH NO. 2010071061

Dear Mr. Hanson:

The Department of Toxic Substances Control (DTSC) has received your Notice of Preparation of a draft Environmental Impact Report (EIR) for the project mentioned above.

Based on the review of the document, DTSC comments are as follows:

1. The draft EIR needs to identify and determine whether current or historic uses at the Project site (Site) have resulted in any release of hazardous wastes/substances.

2. The draft EIR needs to identify any known or potentially contaminated area within the Site. For all identified areas, the draft EIR needs to evaluate whether conditions at the Site pose a threat to human health or the environment.

3. The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any area that may require remediation, and which government agency will provide appropriate regulatory oversight.

4. If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exist, the draft EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight.

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6550.

Sincerely,

AValmidio

Alberto T. Valmidiano
Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Office of Planning and Environmental Analysis
CEQA Tracking Center
Department of Toxic Substances Control
1001 "1" Street, P.O. Box 806
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NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
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July 29, 2010

CITY OF GOLETA
CALIFORNIA
AUG 02 2010
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Alan Hanson
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

RE: SCH#2010071061 Cortona Apartments; 09-140-DP/10-099-OA; Santa Barbara County.

Dear Mr. Hanson:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.

✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
  - **The Goleta USGS Quadrangle has three known archaeological sites: CA-SBA 38, CA-SBA-42 and CA-SBA-60 that are listed on our Sacred Lands File, which may be impacted by your project. Please contact the Native Americans on the attached list.**
  - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**

✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

cc: State Clearinghouse

Native American Contact List
Santa Barbara County
July 28, 2010

Ernestine DeSoto 1027 Cacique Street, #A Santa Barbara CA 93103 (805) 962-3598	Chumash	Julie Lynn Tumamait 365 North Poli Ave Ojai , CA 93023 jtumamait@sbcglobal.net (805) 646-6214	Chumash
Beverly Salazar Folkes 1931 Shadybrook Drive Thousand Oaks, CA 91362 805 492-7255 (805) 558-1154 - cell folkes9@msn.com	Chumash Tataviam Ferrnandeño	Patrick Tumamait 992 El Camino Corto Ojai , CA 93023 (805) 640-0481 (805) 216-1253 Cell	Chumash
Owl Clan Dr. Kote & Lin A-Lul'Koy Lotah 48825 Sapaque Road Bradley , CA 93426 (805) 472-9536	Chumash	San Luis Obispo County Chumash Council Chief Mark Steven Vigil 1030 Ritchie Road Grover Beach CA 93433 cheifmvigil@fix.net (805) 481-2461 (805) 474-4729 - Fax	Chumash
Santa Ynez Band of Mission Indians Vincent Armenta, Chairperson P.O. Box 517 Santa Ynez , CA 93460 varmenta@santaynezchumash. (805) 688-7997 (805) 686-9578 Fax	Chumash	John Ruiz 1826 Stanwood Drive Santa Barbara CA 93103 (805) 965-8983	Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010071061 Cortona Aprtments 009-140-DP/10-099-OA; Santa Barbara County.

Native American Contact List
Santa Barbara County
July 28, 2010

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Chumash

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Adelina Alva-Padilla, Chair Woman
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(805) 693-1768 FAX
Chumash

Richard Angulo
P.O. Box 182
Salome , AZ 85348
Chumash

Randy Guzman - Folkes
655 Los Angeles Avenue, Unit E
Moorpark , CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell
Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
P.O. Box 517
Santa Ynez , CA 93460
(805) 688-7997
(805) 686-9578 Fax
Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010071061 Cortona Aprtments 009-140-DP/10-099-OA; Santa Barbara County.

Na e American Contact List
Santa Barbara County
July 28, 2010

Carol A. Pulido
165 Mountainview Street   Chumash
Oak View , CA 93022
805-649-2743 (Home)

Melissa M. Para-Hernandez
119 North Balsam Street   Chumash
Oxnard , CA 93030
805-983-7964

Frank Arredondo
PO Box 161   Chumash
Santa Barbara Ca 93102
805-617-6884
ksen_sku_mu@yahoo.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010071061 Cortona Aprtments 009-140-DP/10-099-OA; Santa Barbara County.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TDD (805) 549-3259
http://www.dot.ca.gov/dist05/

Flex your power!
Be energy efficient!

August 23, 2010

Alan Hanson
Goleta Planning
130 Cremona Dr #B
Goleta, CA 93117

05-SB-101-24.79
Cortona Apartments

Subject: Cortona Apartments Project Notice of Preparation

Dear Mr. Hanson:

Thank you for the opportunity to provide comment upon the subject project Notice of Preparation. Caltrans recommends that emphasis is placed upon the consistency of Cortona Apartment's traffic analysis relative to the Caltrans' US 101 traffic analysis in support of the 101 HOV project and traffic report for the Los Carneros Road Overhead Bridge Replacement Project. Caltrans asks that the City and applicant ensure that the subject project's complete traffic study should be consistent with the 101 existing conditions report; in particular, the analysis and conditions at the US 101 Northbound off-ramp at Glen Annie Road.

In conjunction with the Cortona Apartment project, Caltrans recommends that both an AM and PM peak analysis be conducted using HCM methodology and the queuing analysis available within that methodology. Caltrans also recommends conducting merge/ diverge and weaving analyses between the Los Carneros and Glenn Annie interchanges, in the northbound direction in particular.

To that end, we suggest a meeting with City staff to discuss this issue more fully, prior to the release of the Draft Environmental Impact Report, and, preferably, prior to the EIR consultant peer review of Westar's traffic analysis.

I can be reached at (805) 549.3632 or via email at chris.shaeffer@dot.ca.gov to arrange a meeting.

Sincerely,

Chris Shaeffer
Caltrans District 5
Development Review

c: L. Newland – CT
Steve Wagner – City of Goleta
Rosemarie Gaglione – City of Goleta
P. Mcclintic - CT
F. Boyle – CT
R. Barnes - CT

MarBorg INDUSTRIES

October 1, 2009

To Whom It May Concern:

I have reviewed the site plans for the Cortona Apartments, job number 188-0100 from CSA Architects, and have found that there is adequate space for both the trash and recycling containers.

Thank you,

David J Borgatello

David Borgatello

Vice President

MarBorg Industries

Attachment 4

P.O. Box 4127
136 N. Quarantina Street
Santa Barbara
California 93140

MTD Santa Barbara
Metropolitan T... sit District
550 Olive Street
Santa Barbara, CA 93101
p .305) 963-3364
f (805) 962-4794
www.sbmtd.gov

CITY OF GOLETA
CALIFORNIA
SEP 01 2009
RECEIVED

31 August 2009

City of Goleta
Planning & Environmental Services
Attn: Alan Hanson
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: Development Review Committee Case Number 09-140-DP

Dear Alan,

Thank you for giving us the opportunity to review plans for the Cortona Residential Project

As you know, the Santa Barbara Metropolitan Transit District (MTD) provides fixed route transit service for southern Santa Barbara County. Although we do not provide regular bus service on Cortona Drive, convenient, frequent daily bus service is available on nearby Hollister Avenue.

The nearest bus stop to this project is the one on Hollister Avenue between Cortona Drive & Storke Road in front of the currently-vacant lot. I believe the hotel project that is planned for that vacant lot has already been conditioned to upgrade 'their' bus stop. But the residents of this development on Cortona Drive will undoubtedly place significant additional demands on transit service in the area and the second-nearest bus stop on Hollister Avenue at Coromar Drive is in need of an upgrade.

MTD asks that the developer be required to make improvements to the bus stop on the north side of Hollister Avenue at Coromar Drive to bring it up to current MTD Bus Stop Standards as a part of this development project. Improvements should include an ADA-compliant concrete pad, bench, shelter, trash receptacle, and night lighting for safety.

Should you have any questions about the above comments, please feel free to contact me by phone at (805) 963-3364 extension 218 or by email at the address below.

Sincerely,

Cynthia Boche
Assistant Planning Manager
cboche@sbmtd.gov

4699 HOLLISTER AVENUE
GOLETA, CALIFORNIA 93110-1999
TELEPHONE 805/964-6761
FAX 805/964-7002

WATER SERVICE CLASSIFICATION NOTICE

October 29, 2009

John Price
Cortona Corner LP
P.O. Box 6106
Santa Barbara, CA 93160.

Re: Water Service Classification Notice
6830 Cortona Drive
APN 073-140-016

Dear Mr. Price:

New water service for a proposed project is subject to the District Water Allocation procedures. Goleta Water District has reviewed the description for a proposed project that will require service from the District at 6830 Cortona Drive, APN 073-140-016.

This Water Service Classification Notice is required to initiate an application with the City of Goleta Planning and Environmental Services Department for their project approval. After you initiate an application with the City of Goleta, a Goleta Water District application for water service, together with an application fee, project plans, and other supporting material is to be submitted to the District. After receiving the District application, District staff will review the application and issue a Preliminary Conditions letter stating the conditions for 1) final approval of water service for the proposed project and 2) the issuance of a District Can and Will Serve letter.

Attachment 1

Please return a copy of this form filled out by City of Goleta Planning and Environmental Services Department with the information requested below. If you have any questions regarding this matter, contact me at (805) 879-4636.

Sincerely,

GOLETA WATER DISTRICT

Carrie Bennett

Carrie Bennett
Engineering Technician

CRB/crb

TO BE FILLED OUT BY CITY OF GOLETA PLANNING AND ENVIRONMENTAL SERVICE DEPARTMENT:

Planner: Alan Hanson Case#: 09-140-DP

E-mail: ahanson@cityofgoleta.org

Phone: 961-7549 Date: November 25, 2009

Description of Project (stated briefly): 171 residential apartment units within eight buildings, community/rec center, pool, + supporting infrastructure + amenities on 8.86 acres located @ 6830 Cortona Dr.

This project is subject to:

Ministerial ______ Discretionary ✓

approval by the City of Goleta.

Planner Signature ______

From: Bill F. Yim [byim@sbcag.org]
Sent: Thursday, August 12, 2010 10:33 AM
To: Alan Hanson
Subject: RE: Cortona Apartments

Hi Alan,
Thanks for the info. The Cortona Apartments project is located within the AIA boundary but outside the Airport Approach Zone. However, the site is within the Traffic Pattern Zone, and therefore future tenants might be subjected to occasional aircraft noise intrusions from general aviation aircraft flying at about 500' altitude over the site and along the Highway 101 corridor for approach to the Airport. Notice of Airport in Vicinity would be required.
Regards,

Bill

From: Alan Hanson [mailto:ahanson@cityofgoleta.org]
Sent: Wednesday, August 11, 2010 4:47 PM
To: Bill F. Yim
Subject: RE: Cortona Apartments

Bill

Attached is a vicinity map and site plan for the Cortona Apartments project. Let me know if you need anything else.

Alan Hanson
Senior Planner
Planning & Environmental Services
City of Goleta
961-7549

From: Bill F. Yim [mailto:byim@sbcag.org]
Sent: Wednesday, August 11, 2010 2:13 PM
To: Alan Hanson
Subject: Cortona Apartments

Hi Alan,
Greetings! Could you provide a site map for the Cortona Apartments project asap? I can't find the info from the cityofgoleta (CEQA requirements) website. Thanks.
Bill

William F. Yim
Senior Transportation Planner
Santa Barbara County Association of Governments
260 San Antonio Rd, Suite B
Santa Barbara, CA 93110
Tel: (805) 961-8906, Fax (805) 961-8901
Email: byim@sbcag.org

PROJECT: Cortona Apartments
CASE NO: 09-140-DP
ADDRESS: 6830 Cortona

CITY OF GOLETA
DEVELOPMENT IMPACT FEE WORKSHEET

☒ Application Submittal (30-day letter)
☐ Discretionary Approval
☐ Map Recordation/Land Use Clearance
☐ Final Inspection

CHECK EFFECTIVE DATE OF FEE SHEET USED TO CALCULATE FEES AND REVISE CALCULATIONS IF NEW FEES ARE IN EFFECT AT THE TIME OF COLLECTION

FEE TYPE	DUE AT	PER UNIT FEE	AMOUNT DUE	DATE PAID
PARKS ☐ Quimby Fee ☐ Park Mitigation Fee	LUP for TM (res) MC for TM (c/i) MC for TPM Final Inspection	**$6,625/unit**	**$1,132,875**	
TRANSPORTATION	MC for TM/TPM Land Use Permit	**$8,292/unit**	**$1,417,932**	
FIRE PROTECTION	Final Inspection	assessed and collected by SB County Fire Department	-------	-------
FIRE FACILITY	Final Inspection	assessed and collected by SB County Fire Department	------	-------
LIBRARY	Final Inspection	**$285/unit**	**$48,735**	
PUBLIC ADMINISTRATION	Final Inspection	**$1,263/unit**	**215,973**	
SHERIFF	Final Inspection	**$323/unit**	**$55,233**	

Exhibit A

CITY OF GOLETA
DEVELOPMENT IMPACT MITIGATION FEE SUMMARY SHEET
Effective Date: November 6, 2007

Fee Program	Single Family Dwelling Fee	Dwelling Other Than Single Family Fee	Retail Commercial Fee (per 1000 sf)[1]	Non-Retail Commercial Fee (per 1000 sf)[1]	Fee Determination By	Fee Collection By	Fee Due To Be Paid At[2]	Ordinance Effective Date
Recreation (Parks)					Community Services	Planning		
• Quimby	$9,509	n/a	n/a	n/a			TM/TPM	2/1/02
• Dev. Mitigation	$9,574	see below	n/a	n/a			FI	2/1/02
• C&I	n/a	n/a	$1,469	$2,072			FI	2/1/02
Transportation	$13,509	see attached	see attached	see attached	Community Services	Plannning	MC or LUP	2/1/02
Fire					Fire Department	Fire Department		
• Fire Protection	$0.20/sq ft	$0.20/sq ft	$0.20/sq ft	$0.20/sq ft			FI	
• Fire Facility	$709	$526	$496	$700			FI	9/30/96
Library	$384	$285	$135	$190			FI	5/24/99
Public Admin	$1,705	$1,263	$597	$841	Planning	Planning	FI	2/1/02
Sheriff	$439	$323	$306	$433	Planning	Planning	FI	2/1/02

Notes:

1. Planning and Environmental Services will determine project size in order to calculate the fees.
2. TM/TPM: Tract Map/Tentative Parcel map (fees payable prior to Land Use Permit for TM and prior to map recordation for TPM)
   FI: Final Inspection (fees payable on or before final building permit inspection)
   MC or LUP: Map Clearance or Land Use Permit (fee payable prior to map recordation of Land Use Permit if no map recordation)
3. Recreation Development Mitigation Fees for other than single family dwelling are as follows (per unit):

Duplex	*$8,024*
*Second-Unit Attached**	*1,343*
*Second-Unit Detached**	*2,015*
*Apartments***	*6,625*
*Mobilehome**	*2,425*

** Reflects applicable beneficial project fee reduction as adopted by City Council.*

***Full apartment fee indicated. Beneficial projects must meet certain density requirements to qualify for fee reductions. Qualifying projects receive a 40% fee reduction and are assessed $3,975 per unit.*

Exhibit A

City of Goleta Transportation Impact Mitigation Fee Schedule

Effective Date: November 6, 2007

Residential (per unit)	Fee
Single Family Detached	$13,509
Apartments	$8,292
Condominiums	$7,222
Mobile Homes	$7,489
Retirement Community	$3,611
Elderly Housing-Detached	$3,076
Elderly Housing-Attached	$1,337
Congregate Care Facility	$2,274

Industrial (per 1,000 square feet unless otherwise noted)	
Light Industrial	$13,107
Industrial Park	$12,305
Manufacturing	$9,897
Heavy Industrial	$9,095
Warehousing	$6,821

Commercial (per 1,000 square feet unless otherwise noted)	
Building Material-Lumber Store	$45,929
Garden Center (Nursery)	$43,200
Discount Membership Store	$33,036
Hardware-Paint Store	$38,426
Free-Standing Discount Superstore	$33,210
Auto Care Center (per service stall)	$26,121
Furniture Store	$5,718
Shopping Center 50,000 SF or less	$71,116
Shopping Center 50,001-100,000 SF or less	$55,275
Shopping Center 100,001-200,000 SF or less	$42,973
Shopping Center 200,001-300,000 SF or less	$37,075
Shopping Center 300,001 SF or more	$30,840

Market (per 1,000 square feet)	
24 Hr Convenience Store	$330,568
Convenience Store (Other)	$212,688
Supermarket	$89,287

Institutional (per 1,000 square feet unless otherwise noted)	Fee
Community Recreational Facility	$5,851
Private School K-12 (per student)	$2,675
Churches	$2,207
Day Care Center (per child)	$1,725
Nursing Home (per bed)	$1,070

Office (per 1,000 square feet)	
Medical-Dental Office	$48,952
Single Tenant Office Building	$23,005
Office Park	$20,062
Corporate Headquarters Building	$18,591
Business Park	$17,253
Research & Development	$14,445
General Office 50,000 SF or less	$29,959
General Office 50,001-100,000 SF	$25,011
General Office 100,001-200,000 SF	$20,865

Restaurants (per 1,000 square feet)	
Fast Food with Drive Through	$223,893
Fast Food without Drive Through	$174,875
High Turn-Over (Sit Down)	$87,150
Quality	$65,115
Delicatessen	$52,964

Miscellaneous Land Uses	
Hotel (per room)	$7,832
Motel (per room)	$6,035
Service Station (per fueling position)	$93,474
Service Station w/ Conv. Market (per fueling position)	$78,740
Bank/Savings & Loan w/Drive-through (per 1000 square feet)	$549,402
Bank/Savings & Loan w/o Drive-through (per 1000 square feet)	$332,530
Auto Dealership (per 1000 square feet)	$37,449
Rental Self-Storage (per vault)	$3,477

Note: The above fees were calculated based on a unit fee of $13,374 per peak hour trip. For development types not listed above, the fee charged shall be the determined by multiplying this unit rate by the trips generated as approved by the City Engineer.

Revised November 5, 2007

CITY OF GOLETA

Development Review Committee Transmittal

Planning & Environmental Services
130 Cremona Drive, Suite B, Goleta, CA 93117
Phone: (805)961-7500 Fax: (805)961-7551
www.cityofgoleta.org

Case No.: 09-140-DP	**Address: 6830 Cortona Dr.**
Project Name: 6830 Cortona Residential Project	**APN: 073-140-016**
Case Planner: Alan Hanson	**Phone No.: 961-7549**
E-Mail: ahanson@cityofgoleta.org	**Transmittal Date: August 26, 2009**

Project Description: The proposed project involves a request for a development plan approval for the construction of a 171 rental apartment unit project located on an 8.86 acre parcel within the Inland Area of the City zoned DR-20. Access to the project would be provided via a driveway onto Cortona Dr. Water and sewer would be provided by the Goleta Water District and Goleta West Sanitary District. The 171 proposed apartments would be comprised of a mix of one, two, and three bedrooms (63 1-bdrms, 96 2-bdrms, & 12 3-bdrms) contained within four two-story buildings (12 to 16 units each), and one three-story building (75 units) with a total residential square footage of 70,836 sq. ft. Amenities would include a 2,491 sq. ft. communal recreation building, 25' x 45' swimming pool/spa, a 672 sq. ft. maintenance building, parking and drive aisles, landscaping, exterior lighting, and an internal system of pedestrian pathways. Project grading would involve 3,500 cu. yd. of cut and 8,500 cu. yd of fill (net import of 5,000 cu. ft. of fill). The project also includes a request to modify the rear and side yard setbacks to allow for the location of carports within three (3) feet of the rear property line and seven (7) feet of the side property line.

Agency/Department	*Notified*	*Plans Sent*	*Agency/Department*	*Notified*	*Plans Sent*
Community Services	✓	✓	CalTrans	✓	✓
Building and Safety	✓	✓	Fire Department	✓	✓
Advance Planning	✓	✓	Santa Barbara County Flood Control		
Redevelopment Agency			Santa Barbara County Surveyor		
Metropolitan Transit District	✓	✓	Air Pollution Control District	✓	✓
Goleta Water District	✓	✓	Santa Barbara Airport	✓	✓
Goleta Sanitary District			SBCAG	✓	✓
Goleta West Sanitary District	✓	✓	Other: Code Enforcement	✓	✓

Note: If you did not receive plans, but would like to review the plans, please call the case planner at the phone number above.

__X__ This case is scheduled for the Development Review Committee meeting agenda of September 10, 2009.

_____ The purpose of the Development Review Committee's review at this time is to provide direction on application completeness. If you or your designee is not able to attend the meeting, but want to provide comments, please transmit these comments to the Case Planner by September 11, 2009.

_____ This case is scheduled for the Planning Commission agenda of ______________.

_____ The purpose of the Development Review Committee's review at this time is to stipulate conditions that would be required if the project is approved. Please submit a department or agency condition letter to the Case Planner by ______________ to ensure that it will be distributed to the Planning Commission in time for their review prior to the public hearing.

_____ This project has been revised. Please see attached revised maps, application or information regarding this project. Revisions are summarized as follows:

____

_____ This case has been withdrawn.

Continued on back.

Development Review Committee Response Form

Comments by Form Recipient
(Please indicate case number, project name, and case planner, check all that apply, and mail or fax to (805) 961-7551 back to the City of Goleta.

Development Review Committee Case No.: 09-140-DP

Project Name: 6830 Cortona Residential Project

Case Planner: Alan Hanson

_____ No Comment.

_____ Not Applicable / No regulatory authority.

_____ Will attend meeting.

_____ Unable to attend meeting.

__X__ Comments are attached.

Signature: [illegible] Date: 9-10-09

Dept/Agency/District: PES Position: Bldg Insp.

Rev 5/31/07

- RECLAIMED WATER FOR LANDSCAPE
- GRADING PLANS
- WATER FOR DEVELOPMENT } AVAILABLE FOR THIS SIZE PROJECT.
- SEWER " "
- SOUND WALLS & OPENING ON APT. FACING RAILROAD & FREEWAY

P.O. Box 4, Goleta, CA 93116-0004
805/ 968-2617 · FAX 805/ 562-8987

November 9, 2009

Cortona Corner, LP
PO Box 61106
Santa Barbara, CA 93160

RE: SEWER AVAILABILITY LETTER FOR APN: 073-140-016
PROJECT: Cortona Apartments – Cortona Dr., Goleta

Dear Sirs:

The property referenced above at 6830 Cortona Dr., Goleta, CA APN# (073-140-016) is within the boundary of the Goleta West Sanitary District (GWSD).

Santa Barbara County sewer policy and District Ordinance No. 60 requires that any sewage generating uses constructed on this property be connected to a community sewer system.

Sewer capacity of one-hundred-seventy-one (171) ERUs in District facilities is presently available to serve the property, and is expected to be available to serve the property if it is connected to the District sewer system pursuant to a District Sewer Service Connection Permit within one year from the date of this letter. The District makes no representation concerning sewer capacity beyond the period stated above.

In order to secure a District Sewer Service Connection Permit for the property, it will be necessary to comply with all District requirements for the issuance of a Connection Permit including payment of all required fees. In addition, sewer connection must comply with the District's standard specifications for sewer construction.

Please confirm your acceptance of the terms and conditions outlined herein by signing the acceptance statement below.

Sincerely,

GOLETA WEST SANITARY DISTRICT

TO: GOLETA WEST SANITARY DISTRICT RE: APN 073-140-016

We hereby confirm our acceptance of the terms and conditions outlined in this Sewer Availability Letter.

Signature of Owner or their agent.

Date 11/20/09 Date ____________

Attachment 2

Fire Department
"Serving the community since 1926"

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Michael W. Dyer
Fire Chief
County Fire Warden

Christian J. Hahn
Deputy Fire Chief

COUNTY OF SANTA BARBARA CALIFORNIA FIRE DEPARTMENT

July 1, 2010

Mr. Alan Hanson
Planning Department
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear Mr. Hanson:

SUBJECT: APN: 073-140-016; Permit #: 09-140-DP
Site: Cortona Drive, Goleta
Project Description: Multi-Residential Development

This Development Memorandum Supersedes the Previous Development Memorandum
Dated September 9, 2009
Addition of Class I Impact Advisory

All Other Conditions Remain the Same

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

ADVISORY

1. The proposed project within the City of Goleta is located in an area that will contribute to additional emergency call response volume to an already over-burdened response zone. A class 1 impact has been previously identified for the western portion of Goleta.

   The current fire station that will serve the proposed project, while within the five minute response zone, will be impacted by the proposed project. The additional residential and commercial development will have a negative impact to the western portion of Goleta and this will need to be addressed by the City of Goleta. A fair share agreement should be perused by the City of Goleta to offset the cost of the new fire station in western Goleta to mitigate the class 1 impact in the area.

   The Santa Barbara County Fire Department strongly recommends the City of Goleta enter into a Development Agreement with the proposed project applicant to offset the undue burden to the already overloaded emergency response area.

In addition, the following fire department conditions will be required.

GENERAL NOTICE

2. A Fire Protection Certificate will be required.

3. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

4. All access ways (public or private) shall be installed and made serviceable. Access shall be as shown on plans dated August 10, 2009, with red line corrections.

5. The grass-crete fire access/turnaround shall be extended to the sidewalks in each direction as indicated in redline corrections to provide adequate access to Building 3 and Building 8. The grass-crete fire lane adjacent to Building 5 shall have a 24 foot radius at its south edge for access from both directions.

   All grass-crete fire access/turnarounds shall be bordered with concrete curb and signed per fire department standards for easy identification by emergency vehicles.

6. Seven new fire hydrants shall be installed and flow 1250 gallons per minute at a 20 psi residual pressure The hydrants shall consist of one 4-inch outlet and two 2-1/2 inch outlets.

   - Fire hydrants shall be located as indicated in red line corrections to plans dated August 10, 2009, received by the fire department on August 27, 2009.

   - Plans shall be approved by the fire department prior to installation.

PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS MUST BE MET

7. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved by the fire department prior to installation. Location of any fire department connection shall be determined by the fire department.

   Fire sprinkler system plans shall require Fire Protection Engineer certification.

   A dry standpipe system is recommended but not required in the three-story Building 3.

8. Santa Barbara County Fire Department fire or emergency alarm system requirements shall be met. Plans shall be approved by the fire department prior to installation.

   Alarm system plans shall require Fire Protection Engineer certification.

9. Portable fire extinguishers are required.

10. A recorded address is required. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.

11. Building address numbers shall be posted as required by fire department.

12. Access way entrance gates shall conform to fire department standards.

13. When access ways are gated a fire department approved locking system shall be installed.

14. A Knox key box entry system shall be installed.

15. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at $.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,

Brian Hayden, Inspector
Fire Prevention Division

BH:mkb

Fire Department
"Serving the community since 1926"

Michael W. Dyer
Fire Chief
County Fire Warden

HEADQUARTERS

Christian J. Hahn
Deputy Fire Chief

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

September 9, 2009

Mr. Alan Hanson
Planning Department
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear M. Hanson:

SUBJECT: APN: 073-140-016; Permit #: 09-140-DP
Site: Cortona Drive, Goleta
Project Description: Multi-Residential Development

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

2. All access ways (public or private) shall be installed and made serviceable. Access shall be as shown on plans dated August 10, 2009, with red line corrections.

3. The grass-crete fire access/turnaround shall be extended to the sidewalks in each direction as indicated in redline corrections to provide adequate access to Building 3 and Building 8. The grass-crete fire lane adjacent to Building 5 shall have a 24 foot radius at its south edge for access from both directions.

   All grass-crete fire access/turnarounds shall be bordered with concrete curb and signed per fire department standards for easy identification by emergency vehicles.

4. Seven new fire hydrants shall be installed and flow 1250 gallons per minute at a 20 psi residual pressure The hydrants shall consist of one 4-inch outlet and two 2-1/2 inch outlets.
   - Fire hydrants shall be located as indicated in red line corrections to plans dated August 10, 2009, received by the fire department on August 27, 2009.

- Plans shall be approved by the fire department prior to installation.

PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET

5. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved by the fire department prior to installation. Location of any fire department connection shall be determined by the fire department.

Fire sprinkler system plans shall require Fire Protection Engineer certification.

A dry standpipe system is recommended but not required in the three-story Building 3.

6. Santa Barbara County Fire Department fire or emergency alarm system requirements shall be met. Plans shall be approved by the fire department prior to installation.

Alarm system plans shall require Fire Protection Engineer certification.

7. Portable fire extinguishers are required.

8. A recorded address is required. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.

9. Building address numbers shall be posted as required by fire department.

10. Access way entrance gates shall conform to fire department standards.

11. When access ways are gated a fire department approved locking system shall be installed.

12. A Knox key box entry system shall be installed.

13. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at $.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,

Brian Hayden, Inspector
Fire Prevention Division

BH:mkb

c Carlos Venegas, CSA Architects, 330 E. Canon Perdido, #A, Santa Barbara 93101

Ksen~Sku~Mu
Frank Arredondo ~Chumash MLD
Po Box 161
Santa Barbara Ca, 93102

Alan Hanson Sr. Planner
City of Goleta
130 Cremona dr, suite B
Goleta Ca, 93117

Re: Cortona Apartments

I thank you for the opportunity to comment on the above referenced project. My name is Frank Arredondo. I am Chumash/Coastanoan. I am recognized within my community as the Former Director of the Board with the Coastal Band of the Chumash Nation. Currently, I am an active member of the Coastal Band of the Chumash Nation; I am listed on the Most Likely Descendant (MLD) list for the Chumash Territory and the Native American Contact list with the Native American Heritage Commission. My comments today are of my own.

Being of Native American descendant, from the Chumash territory, I have a strong vested interest in the project. I currently provide comment on several Planning and Development projects in the surrounding areas that have cultural resources impacts. I have been an advocate for the preservation of those Cultural Resources within my community and for several years now as well as placing an emphasis on local governments adhering to policies and procedures. I thank you for taking the time to review my comments.

The proposed project is located in areas known to be once inhabited by prehistoric Chumash. Many village sites and settlements are located with in the project surrounding areas. Known burials are to found in surrounding areas as well. It is because of this potential to affect subsurface burial locations that I warrant the need for Native American Consultation. Not only because of possible intact resources but also due to the potential to uncover re-deposited human remains from previous grading activities.

Consultation should begin as soon as possible to help determine what needs to be suggested for avoidance. The information gathered from consultation meetings should assist in determined the significance of Impacts from the proposed project. Determination of appropriate mitigation measures for the disposition of cultural remains and artifacts that are not part of the scientific review, but will addresses heritage values which are of great importance to the Chumash community ethnic values.

Mitigation plans and potential cultural resource protection plan. This consultation process should be carried out as stated in the "City of Goleta Environmental Thresholds and Guidelines Manual, 8. Cultural Resources Guidelines Archaeological, Historical, and Ethnic Elements"

- **E. Ethnic Impacts. 1. Ethnic Impact Assessment.**
- **3. Native American Consulting**
- **F. Sequential Steps for Implementation of CEQA Appendix K.**

"County of Santa Barbara Resource Management department Regulations Governing Archaeological and Historical Projects undertaken in conformance with the California Environmental Quality Act and Related Laws: cultural Resource Guidelines" Adopted by City of Goleta.

- **5.0 Ethnic Evaluation, b.**
- **Phase 2 Prehistoric Archaeological and Historical Projects 3. Native American Participation**
- **Phase 3 Prehistoric Archaeological and Historical Projects**

3. Native American Participation

Specifically pertinent sections to follow without deviation.

F. Sequential Steps for Implementation of CEQA Appendix K.
1. Determination by the Planning and Development Department staff during Initial Study process that a project site may have a potential archaeological, or historical, or Native American culturally significant resource.
2. Professional fieldwork and documentation that a project will or will not have a direct or indirect physical impact on such a resource (**Phase 1 investigation**).
3. If the project does not have such potential, a finding of "significant impact" is not made and EIR is not prepared (specifically for "cultural resource reasons"). The project may also be redesigned or "self conditioned" at this stage to avoid the resource or to guarantee its protection.
4. If the project does have the potential to impact significantly a resource and the project cannot be revised to avoid the resource, the site must be evaluated in order to determine whether it meets the criteria to be defined as important (**Phase 2 investigation**). Evaluations are performed by a Planning and Development Department approved archaeologists, historians, and/or ethnographers and may or may not require field excavation as well as laboratory analysis but such reports do require, at a minimum, a historical records search when the site has been previously disturbed.
5. If the resource is found to be unimportant, no further professional work is required and a negative declaration may be issued if the only issue is cultural resource impacts.
6. If a determination is made that the resource is important, the applicant will be requested to work closely with the County and the cultural resource consultant to provide for appropriate mitigation either by avoidance of the deposit, adoption of development restrictions to preserve them, or special construction techniques (e.g., covering, etc.) to protect them. To the extent that direct impacts cannot be avoided, mitigation measures shall be required. The development of such measures will be the task of the consultant working in conjunction with the county and the applicant, which would require additional archaeological excavation of a sample of the area to be impacted (**Phase 3 investigation**).

Specifically it is during the Phase 1, 2, 3 studies that the Native American representative should be in full participation. Theses representatives should be appointed by "individuals most likely to have descended from the Native Americans inhabiting the site or project area, as well as those recognized by the State Native American Heritage Commission, the individuals on this list" should be granted the authority as written in the thresholds and guidelines to appoint a representative to be retained by developer.

"The Regulations Governing Archaeological and Historical Projects Undertaken in Conformance with the California Environmental Quality Act and Related Laws: Cultural Resource Guidelines,"

3. Native American Participation (a)" In any project that involves subsurface excavation of aboriginal sites, individuals most likely to have descended from the Native Americans inhabiting the site or project area, as well as those recognized by the State Native American Heritage Commission, shall be informed**. Representatives appointed by at least one of theses groups** shall be retained by the developer as consultants for the purpose of assessing the ethnic and religious significance of identified archaeological resources. These individuals shall serve as monitors during the course of fieldwork and shall participate in the preparation of a written report, which expresses their concerns about the resources and recommendations for their treatment."

Contact to those individuals should be made at the earliest time possible.

I thank you for your time. Please feel free to contact me with any question you might have.

Best wishes, Frank Arredondo
Ksen~Sku~Mu
Chumash MLD
Po Box 161
Santa Barbara, Ca 93102
Email Ksen_Sku_Mu@yahoo.com
805-617-6884

Our Vision Clean Air

Santa Barbara County
Air Pollution Control District

September 11, 2009

Alan Hanson, AICP
City of Goleta
130 Cremona Drive, Ste. B
Goleta, CA 93117

Re: Cortona Residential Project, 09-140-DP

Dear Mr. Hanson:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of a development plan for the construction of a 171 unit apartment complex. The complex will include four – two story buildings and one three-story building totaling 70,836 s.f. of residential space. Also proposed are a 2,491 s.f. communal recreation building, a swimming pool and spa, a 672 s.f. maintenance building, and associated parking, driveways, landscaping. The project includes grading consisting of 5,000 c.y. of cut and 3,500 c.y. of fill. The subject property, an 8.86-acre parcel zoned DR-20, and identified in the Assessor Parcel Map Book as APN 073-140-016, is located at 6830 Cortona Drive in the community of Goleta.

APCD's guidance document, entitled *Scope and Content of Air Quality Sections in Environmental Documents* (updated June, 2008) is available online at www.sbcapcd.org/apcd/landuse.htm. This document should be referenced for general guidance in assessing air quality impacts in any upcoming environmental documents for the project. The EIR should evaluate the following potential impacts related to the apartment complex:

1. Proximity to Highway 101. When commenting on land use projects throughout Santa Barbara County, APCD staff has consistently recommended that sensitive land uses, such as residential, should not be sited within 500 feet of the highway. This is based on guidance from the California Resources Board (*Air Quality and Land Use Handbook: A Community Health Perspective,* CARB, April 2005) and supplemented by information gathered by APCD, summarized in the attached "Public Health and High Traffic Roadways".

These materials summarize the numerous studies that have demonstrated a correlation between proximity to high-traffic roads and respiratory illness. Studies are based on proximity rather than specific pollutants or dose/response, and no mitigation or threshold is identified that can reduce the proximity-related impacts other than increasing the distance between the sensitive receptors and the road.

Siting of sensitive receptors within 500 feet of the freeway would potentially increase the risk of disease in the future residents of the project and should be considered a significant unmitigated environmental impact for the purposes of CEQA. This is not intended to discourage mitigation measures such as particulate filters in household ventilation systems; however these measures would not mitigate the impacts to a less than significant level.

Terence E. Dressler ◦ Air Pollution Control Officer
260 North San Antonio Road, Suite A ◦ Santa Barbara, CA ◦ 93110 • www.sbcapcd.org ◦ 805.961.8800 ◦ 805.961.8801 (fax)

2. Attainment Status and Consistency with the APCD 2007 Clean Air Plan (CAP). The APCD has posted the most up-to-date attainment status for the County on the APCD website www.sbcapcd.org/sbc/attainment.htm and the most recent Clean Air Plan is available at www.sbcapcd.org/cap.htm. The website should be consulted for the most up-to-date air quality information prior to the release of an environmental document.

3. Increase in Emissions from Proposed Project. The EIR should present significance thresholds for ozone precursor emissions (reactive organic compounds [ROC], and oxides of nitrogen [NO_X]) and particulate matter, and determine whether the proposed project will produce emissions in excess of the thresholds. APCD's *Scope and Content* document contains the APCD Board-adopted criteria for evaluating the significance of adverse air quality impacts for APCD projects. APCD recommends that the City of Goleta use these, or more stringent, thresholds to determine significance of air quality impacts.

The proposed project will involve air quality impacts associated with motor vehicle trips from residents of the apartment complex, their guests, and on-site staff. The air quality impact analysis should be based on a project-specific traffic study whenever possible. In addition to motor vehicle emissions, the analysis should include emissions associated with unpermitted stationary sources such as heating and cooling equipment. These emissions (termed "area source" emissions) should be included in the operational phase emission evaluation.

Stationary and area source emissions must be added to transportation source emissions prior to applying the project-specific thresholds of significance. If the proposed project exceeds the significance thresholds for air quality, mitigations should be applied to reduce those emissions to below the levels of significance. Section 5 of APCD's *Scope and Content* document offers examples of air quality mitigations. However, project-specific measures should be developed that are pertinent to the subject project and are enforceable by the lead agency.

4. Construction Impacts. The EIR should discuss the potential air quality impacts associated with construction activities for the proposed project. APCD's June, 2008 *Scope and Content* document, Section 5.1, presents recommended mitigation measures for fugitive dust and equipment exhaust emissions associated with construction projects. Construction mitigation measures should be enforced as conditions of approval for the project. An EIR should have a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigations and establishes a mechanism for enforcement.

5. Global Climate Change/Greenhouse Gas impacts. Global climate change is a growing concern that needs to be addressed in CEQA documents, and we recommend that the discussion be included under cumulative impacts. Although there are currently no published thresholds for measuring the significance of a project's cumulative contribution to global climate change, the California Office of Planning & Research (OPR) has issued a Technical Advisory titled *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review* (dated June 19, 2008, available at the OPR website, www.opr.ca.gov). This advisory provides guidance to land use agencies in the interim period, until the state CEQA Guidelines are revised. The advisory states on page 4, in the third paragraph, *"Public agencies are encouraged but not required to adopt thresholds of significance for environmental impacts. Even in the absence of clearly defined thresholds for GHG emissions, the law requires that such emissions from CEQA projects must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact."* Furthermore, the advisory document indicates in the third bullet item on page 6 that, *"in the absence of regulatory standards for GHG emissions or other scientific data to clearly define what* *constitutes a 'significant impact', individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice."*

In light of this guidance from OPR, APCD staff strongly recommends disclosing potential GHG emissions associated with the proposed project and the use of all feasible mitigation measures for long-term impacts. At a minimum, the project should include energy-conserving measures and mitigations to reduce emissions of greenhouse gases by:

- Incorporating green building technologies;
- Increasing energy efficiency measures at least 20% beyond those required by California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations);
- Encouraging the use of transit, and in more compact urban areas, bicycling and walking;
- Increasing recycling goals (e.g., separate waste and recycling receptacles); and,
- Increasing street landscaping (shade trees decrease energy requirements and also provide carbon storage).

For more information regarding these and other mitigation measures, please refer to the *CAPCOA CEQA & Climate Change document*, available at www.sbcapcd.org/apcd/landuse.htm

6. Transportation Measures to Reduce Air Quality Impacts. The Cortona Residential Project and associated EIR should include measures that promote the use of alternate modes of transportation and focus on reducing vehicle miles traveled, vehicle trips, and peak-hour travel. Because the Cortona Residential Project involves an increase in population and associated peak-hour travel, additional transit trips, bicycle racks, and other alternative transportation facilities should be proposed to service the project.

APCD staff also suggests that the following be listed as potentially applicable conditions of approval for the subject project:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.

2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

3. Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

4. At all times, idling of heavy-duty diesel trucks must be limited to five minutes; auxiliary power units should be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles:
   - shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location
   - shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.

5. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,

Eric Gage,
Air Quality Specialist

Attachment: Standard Dust Control Measures
Diesel Particulate and NO_X Emission Mitigations
Public Health and High Traffic Roadways

cc: Project File
TEA Chron File

ATTACHMENT A
FUGITIVE DUST CONTROL

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, <u>or</u> revegetating, <u>or</u> by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
- Prior to land use clearance, the applicant shall include, as a note on a separate information sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.

  Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Requirements shall be shown on plans prior to approval of Land Use Permit. Condition shall be adhered to throughout all grading and construction periods.

  <u>MONITORING</u>: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MITIGATIONS
JUNE 2009

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. Therefore, following is an updated list of control strategies that should be implemented to the maximum extent feasible.

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Fleet owners are subject to sections 2449, 2449.1, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of Regulations (CCR) to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. See http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.
- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Public Health and High Traffic Roadways

California Air Resources Board Recommended Policy:
Sensitive land uses such as residences, schools, day care centers, playgrounds, and medical facilities should not be sited within 500 feet of:

- A freeway
- Urban roads with 100,000 or more vehicles/day
- Rural roads with 50,000 or more vehicles/day

(Ref. *"Air Quality and Land Use: A Community Health Perspective."* California Air Resources Board. April 2005)

Reason for the Policy:
Many studies show that living in proximity to freeways and other high traffic roadways leads to adverse health effects beyond those associated with regional air pollution. A number of studies that focused on children have found slower lung development and significant increases in the incidence of lung disease, such as asthma, bronchitis, and decreased lung function, in children who live or attend school near heavily travelled roadways. In addition to children, seniors, and people with heart and lung conditions are considered particularly sensitive to effects of air pollution. Residence in high-traffic areas has been shown to increase the risk of mortality within a cohort of male veterans.

Health Studies:
The results of health studies suggests that it is important to avoid exposing children and other sensitive populations to the elevated air pollution levels near freeways and other high traffic roads. While particulate pollution is suspected as contributing the most to the adverse health effects, studies have not yet determined which specific pollutants and sources (cf. diesel particulate, re-entrained roadway dust particulate, NO2 vehicle exhaust, diesel trucks vs. gasoline cars, &c.) are responsible. Additional studies are underway. While significant adverse health effects were observed in children who lived within 1,500 feet of a freeway (Gauderman, 2007), the studies indicate a substantial benefit to a 500 foot separation (McConnell, 2006).

Key Findings:
- Reduced lung function in children is associated with traffic density within 1,000 feet and the strongest association is within 300 feet of the roadway. (Brunekreef, 1997)
- Children living within 550 feet of heavy traffic have more medical visits than children who live further away from traffic. (English, 1999)
- Increased asthma hospitalizations are associated with living within 650 feet of heavy traffic. (Lin, 2000)
- Asthma symptoms increase with proximity to roadways and the risk is greatest within 300 feet. (Venn, 2001)
- Asthma and bronchitis symptoms in children are associated with proximity to high traffic in a community with good overall regional air quality. (Kim, 2004)
- Children living within 150 – 200 meters (~450 feet – 600 feet) of heavy traffic have higher rates of asthma than children living further away from traffic. (McConnell, 2006)
- Children living within 500 meters (~1,500 feet) of heavy traffic have significantly slower lung development than children living further away from traffic. (Gauderman, 2007)
- Survival of members of the Washington University-EPRI Veterans Cohort is strongly and robustly associated with county-average levels of traffic related air pollution and mortality relationships are stronger in the counties with higher levels of traffic density. (Lipfert et al, 2009)

Applicability to Santa Barbara County:
The studies covered children in a variety of urban environments living in proximity to roadways covering a wide spectrum of traffic volumes. The adverse health effects were measured at traffic volumes as low as 41,000 vehicles per day (English) and between 80,000 and 150,000 vehicles per day (Brunekreef). Highway 101, through Santa Barbara County, experiences traffic volumes within the range where health effects have been observed. Also, some parts of Highway 101 see over 7000 diesel trucks per day

(SBCAG). Furthermore, running parallel to Highway 101 through the southern portion of Santa Barbara County is a rail corridor that contributes significantly to the pollution levels near the highway (cf., rail contributes an additional 10% or 0.07 tons per day to mobile source generated PM10 emissions in Santa Barbara County).

2006 Average Daily Traffic (ADT) Volumes for Highway 101 (SBCAG):
US 101 at Glenn Annie = 65,800 ADT
US 101 at Highway 150 = 68,000 ADT
US 101 at Las Positas = 140,000 ADT
US 101 at Highway 166, Santa Maria = 55,000 ADT

Conclusion:
In order to protect the public health, especially the health of children, from the adverse effects of air pollutants generated by traffic on Highway 101, land use policies should prohibit the construction of new residences, schools, day care centers, playgrounds, and medical facilities within 500 feet of Highway 101. No other roadways in Santa Barbara County currently have estimated traffic volumes at the magnitude for which the proximity studies have identified adverse health effects.

References:

"Air Quality and Land Use: A Community Health Perspective." California Air Resources Board. (April 2005).
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"2007 Travel Trends Report for Santa Barbara County." Santa Barbara County Association of Governments. (December 2007)
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August 12, 2010

RECEIVED
AUG 12 2010
City of Goleta
Planning & Environmental Svcs.

City of Goleta
Planning and Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117
Attn: Alan Hanson, Senior Planner

**RE: 09-140-DRB: Cortona Apartments,
6830 Cortona Drive, APN 073-140-016**

Alan:

The following comes directly from the Conditions, Covenants, Restrictions and Reservations that landholders within the Santa Barbara Research Park originally agreed to:

> *"The real property described herein is subjected to these Restrictive Covenants to insure proper use and appropriate development and improvement of each building site; to protect the owners of building sites against improper use of surrounding building sites which will depreciate the value of their property;...to prevent haphazard and inharmonious improvement of building sites;..."*

The original intended use of the property located at 6830 Cortona Drive was for Commercial Research and Development, as is the case with all of its neighbors. In reviewing the applicant's proposed development, please keep in mind that all of the properties in the Santa Barbara Research Park (the Park) have historically been built according to the CCR&Rs referenced above and included with this letter.

As the Managing General Partner for three buildings in the Park, including the one located next door at 6800 Cortona, I have many concerns regarding the proposed residential development in the heart of Goleta's high tech area. In no particular order, these concerns include; Traffic, Parking, Aesthetics, Safety, Economics, and General Compatibility.

Traffic & Parking

Traffic and Parking go hand in hand throughout the Park in its current state. All of the commercial buildings comply with the City's parking standards, and with the mandated parking, the on-street parking is kept to a minimum, with no restrictions necessary. The current flows of traffic have been in circulation for years with a known impact on the outlying areas of the Hollister/Storke/Los Carneros corridors. With the proposed development, there will be substantial increases in traffic within the Park and the surrounding intersections. With this increased traffic, this development will also be increasing pedestrian traffic, including children. In addition, the minimal amount of proposed parking, and complete lack of oversized vehicle parking, will lead to significantly increased on-street parking. All of the above will likely increase risks of accidents and would probably exceed the level of traffic service standards the City is attempting to achieve.

Aesthetics

The proposed development will also have a significant effect on the aesthetics of the area. Currently the Park is made up of one and two story office buildings that have significant setbacks (30 foot minimum) with limited visual effect on the surrounding views. The proposed development is up to three stories high with much of that height being placed toward the mountain side of the property. This increase in height will negatively affect not only the current occupants of the Park, but also the community at large. From the Storke-101 overpass, the proposed development would block views to the East and North. The removal of a significant majority of the mature trees and wooded areas on the parcel would leave the area without the interesting scenic views that exist within the property. The proposed density will also affect the aesthetics of the area. The 20+ units per acre, wedged into this lot will create the perception of overbuilding in comparison to the 35% coverage ratio for the rest of the Park. This coupled with the erosion of the view corridors for the entire area would have substantial negative affect.

Safety

With the current neighborhood usage, the tenants and owners recognize the inherent safety risks that exist within this commercial area. The proposed development is surrounded on two sides by commercial properties and by the railroad/freeway and overpass on the other two. All of these neighboring parcels come with potential risks. Due to the fact that the commercial tenants that adjoin the proposed development are well within their rights to use substances on site that could be considered hazardous, and the transportation corridors move tons of materials, the new residential tenants would potentially be at risk in the case of a spill, or leak. The fact that there is only one exit from the property that could house upwards of 500 people creates a significant health risk to the tenants.

Economics

With the introduction of residential occupants to the Santa Barbara Research Park, there may be a considerable affect on the economic well-being of the Goleta high tech area. While our current tenants may not be economically affected by the introduction of this proposed development, what may occur in the future is unclear. If a company is considering the Park for its tenancy, but due to national defense or competitive security reasons they are not willing to set up shop next to 500 residential occupants, this could directly reduce the economic benefit to the owners of the commercial properties, and the city of Goleta as a whole. While the City may be attempting to control its residential growth north of the freeway by approving projects such as this, the City needs to consider the economic damage this poor planning may have on its economic and employment core.

Incompatibility

Based on the above notations regarding the potential residential development, in addition to those to numerous to detail here, it becomes obvious that this proposal is in no way compatible with the current usage of the neighboring properties. The current owners have built or purchased their property with the intent to create and maintain a homogenous business community. This has provided the City with an area that nurtures both young and old companies, and allows for our City to thrive along with its business community. By introducing residential units into the area, the City is creating the potential for conflict, including issues over trespassing, dust, noxious odors, noise, odd hours, and safety. If this property is developed as proposed, both the residents and commercial tenants have the potential to suffer due to the incompatibility of this project to the surrounding area. This incompatibility can not be mitigated; the residential usage will have a significant impact on its neighbors, and may cause them significant economic hardship.

Sincerely,

Peter W. Goodell
Goodell Investments, LLC
Managing General Partner
-Santa Barbara Park Industrial, 6800 Cortona Drive
-SBR Associates, 25 Castilian Drive
-Castilian Associates, 44 Castilian Drive

17086

RECORDED AT REQUEST OF
Title Insurance & Trust Co.
APR 27 1962 at 9:00 A.M.
BOOK 1922 PAGE 441
OFFICIAL RECORDS
Santa Barbara County, Calif.
JAMES G. FOWLER, Recorder
[illegible], Deputy
FEE $18.00

RESTRICTIVE COVENANTS

SANTA BARBARA RESEARCH PARK

State of California

County of Santa Barbara

KNOW ALL MEN BY THESE PRESENTS:

THIS DECLARATION, made this 26th day of April, 19 62, by CITY TITLE INSURANCE CO., hereinafter called the Grantor. Wherever such term is used it shall be deemed to include the successors or assigns of Grantor.

WITNESSETH

1. WHEREAS, the Grantor is the owner of the real property described in paragraph 4 of this declaration; and

2. WHEREAS, the Grantor is desirous of subjecting the real property described in paragraph 4 to the conditions, covenants, restrictions and reservations hereinafter set forth, each and all of which is and are for the benefit of said property and for each owner thereof, for the benefit of all other properties which may be included in the SANTA BARBARA RESEARCH PARK and for each owner thereof, for the purposes set out in paragraph 5 below.

3. NOW, THEREFORE, Grantor hereby declares the real property described in and referred to in paragraph 4 hereof is, and shall be, held transferred, sold, conveyed, leased, subleased and occupied subject to the conditions, covenants, restrictions and reservations hereinafter set forth.

PROPERTY SUBJECT TO THIS DECLARATION

4. The real property which is, and shall be, held, transferred, leased, subleased and occupied subject to the conditions, covenants, restrictions and reservations set forth herein, is located in the County of Santa Barbara, State of California, and is more particularly described in Exhibit "A" attached hereto and which property in its entirety is referred to throughout these restrictions as the "Santa Barbara Research Park".

PURPOSE

5. The real property described herein is subjected to these Restrictive Covenants to insure proper use and appropriate development and improvement of each building site; to protect the owners of building sites against improper use of surrounding building sites which will depreciate the value of their property; to guard against the erection thereon of structures built of improper or unsuitable material; to insure adequate and reasonable development of said property; to encourage the erection of attractive improvements thereon, with appropriate locations thereof on building sites; to prevent haphazard and inharmonious improvement of building sites; to secure and maintain proper setbacks from streets, and adequate free spaces between structures, and in general to provide adequately for a high-type quality of improvement on said property.

SANTA BARBARA RESEARCH PARK OWNERS AND TENANTS ASSOCIATION

6. To select owner and tenant members for the Board of Design set forth in the following paragraph, and to establish an association of tenants and owners of property within the Santa Barbara Research Park, there is hereby established the SANTA BARBARA RESEARCH

PARK OWNERS AND TENANTS ASSOCIATION, hereinafter referred to as the "Association." Each owner or tenant of one (1) acre or more of land within the SANTA BARBARA RESEARCH PARK which is subject to these conditions, covenants, restrictions and reservations, and whose principal facility on said land is used for research purposes, is a member of the Association, and shall have the same number of votes in proportion to the number of acres owned or leased. Land shall be deemed to be used for research purposes when the principal facility located thereon is for such purpose, or if such facility has not been completed, when the foundations therefor have been laid in accordance with plans approved by the Board of Design. Where the land is leased by an owner (not the Grantor) to a tenant and the tenant is the entity which is using the principal research facility on the land, the votes specified shall be deemed to be the tenant's and not the owner's. Grantor shall have the number of votes proportionate to the number of acres owned, less the number of votes attributed to tenants of Grantor who meet the above qualifications.

BOARD OF DESIGN

7. There is hereby established a Board of Design which shall consist of five (5) members and which shall have the responsibility of enforcing these restrictions within the Santa Barbara Research Park. As long as 20% or more of the SANTA BARBARA RESEARCH PARK acreage subject to these covenants, exclusive of public roadways and areas not restricted to research purposes, is owned by Grantor, three (3) members of such Board shall be appointed by Grantor, and two (2) members of that Board shall be elected by members of the Association, as indicated in paragraph 6 above. Grantor hereby appoints WESLEY G. MOHR, RICHARD M. WARTES and C. W. SPONSEL as its appointees to the Board of Design. At such time as less than 20% of the land subject to these covenants, exclusive of public

roadways and areas not restricted to research purposes, is owned by Grantor, Grantor shall appoint two (2) members to such Board and three (3) members thereof shall be elected by members of the Association. The members of such Board appointed by Grantor may be, but need not be, members or employees or representatives of members of the Association. The term of office of the members of the Board of Design shall be for one (1) year and shall run from October 1st of each year through the 30th day of September of the succeeding year. Grantor shall have the right to remove, at any time, any of its appointees, and to appoint members to replace such removed appointees.

No construction or exterior alteration of buildings, utilities, signs, pavements, landscaping and other exterior facilities may be initiated without approval of plans by the Board of Design.

8. The Board of Design shall either approve or disapprove any plans submitted to it within thirty (30) days from the date on which they are submitted to the said Board, and failure to either approve or disapprove within this period shall constitute approval of said plans. Any prospective purchaser or tenant of the Santa Barbara Research Park who has entered into a binding agreement for the purchase or lease of land within said Park may submit plans to the Board of Design at 1035 Santa Barbara Street, Suite 4 & 5, or such address in Santa Barbara County as may be selected by the Board of Design from time to time, and the provisions of this paragraph shall become operative.

Following initial approval of all plans, the Board of Design shall also be responsible for the continued adherence to these Restrictions by owners and tenants within the Research Park.

9. Three (3) members of the Board of Design shall constitute a

quorum. Actions of the Board will be by majority vote of those members in attendance at any meeting at which there is a quorum present.

10. The Board of Design shall promulgate by-laws and operating procedures for the conduct of its affairs; such by-laws shall provide for reasonable notice to each Board member prior to any meeting.

11. There is attached to these Restrictive Covenants as Exhibit "B", certain Performance Standards which shall form the basis for the approval or disapproval of all plans submitted to the Board of Design pursuant to the provisions herein and shall also form the basis for the regulation by the Board of Design over the operation of any facility within the Santa Barbara Research Park. Said Exhibit "B" is incorporated into these Restrictive Covenants as though fully set out herein.

<u>APPEAL FROM BOARD OF DESIGN</u>

12. The Board of Design shall promptly notify in writing the owners and tenants of all lands lying within 300 feet of the property lines of any tract and within the Santa Barbara Research Park of a proposed plan submitted to it for approval, and shall give similar notice as to the action taken by it. A like notice shall also be served upon the officers of the SANTA BARBARA RESEARCH PARK OWNERS AND TENANTS ASSOCIATION designated to receive such notices.

13. Any owner or tenant, including Grantor, whose property is subject to these conditions, covenants, restrictions and reservations may within thirty (30) days after action or decision by the Board

of Design, or after a plan is approved by failure of the Board of Design to act upon it, appeal therefrom to the Appeal Board hereinafter provided. The Appeal Board shall consist of three (3) members, one (1) of whom shall be appointed by Grantor, and one (1) of whom shall be elected by the members of the Association. The third member of such Appeal Board shall be a person selected by the other two (2) members, or in the event they are unable to agree upon such a third member, then such third member shall be a person designated by the then Chancellor of the University of California, Santa Barbara Campus. The terms of office of the members of the Appeal Board shall be for three (3) years commencing with the date of their appointment, but not later than October 1, 1962. It shall be sufficient and timely notice of appeal to the Appeal Board to direct a letter to such Board at 1035 Santa Barbara Street, Suite 4&5, or its usual address and to deposit the same in the United States mail. The Appeal Board shall render its decision [illegible] matters properly appealed to it within thirty (30) days from the date [illegible] appeal. The decision of the Appeal Board shall be final. The Appeal Board shall keep a written record of all of its proceedings and records, which records shall be open to inspection by any owner or tenant.

USE REGULATIONS

14-1. Land Restricted to Research Purposes. No [illegible] within the SANTA BARBARA RESEARCH PARK shall be used for other than research purposes and work incidental [illegible] out in [illegible] paragraph 14-2 below. (This restriction shall not prevent Grantor from constructing, owning, operating, leasing, or conveying property for service facilities or for commercial or recreational

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facilities for the primary use, enjoyment and convenience of owners and tenants of the SANTA BARBARA RESEARCH PARK and their employees; provided, however, that the type of such facility to be admitted to the SANTA BARBARA RESEARCH PARK and the location within said Park of each such facility shall be approved by the Board of Design.)

14-2. Scope of Activity Permitted: Scientific research or experimental development of materials, methods or products, including engineering and laboratory research and the products or modification of prototypes. There shall also be permitted the light manufacturing of products which are a direct result of research and development or modification of the type permitted to be conducted on the property, provided that such light manufacturing shall be restricted to products developed by research in the physical sciences.

Administrative, educational and other related activities and facilities in conjunction with, or accessory to, the permitted use, and located on the same lot or parcel of land.

14-3. Fences and Walls: No fence, masonry wall, hedge or mass planting shall extend into any front or side yard of any building except with the approval of the Board of Design.

RIGHT OF WAY EASEMENTS

15. Each owner and tenant of property subject to these restrictions hereby agrees to cooperate with Grantor in the planning and granting of all easements necessary and reasonable for the further development of the Park, and which do not interfere with present use or future development of its property. Easements may include those for gas, water, sewage, telephone entrance and

access roads, and electrical lines. Nothing contained in this section shall be deemed to require the purchaser to grant any specific easement, nor to grant easements or rights of way without full compensation therefor, except in those instances where such easement shall be a specific requirement of the sale from Grantor herein.

RESALE RIGHTS

16. Each owner of property subject to these restrictions except Grantor agrees that if it receives a bona fide offer to purchase or lease such property that it will, before consummating such purchase or lease, present to Grantor (in affidavit form) the terms and conditions of such proposed purchase or lease, and Grantor reserves the right to purchase said property within thirty (30) days thereafter upon the same terms and conditions as may be contained in such bona fide offer made to the owner by any third party.

RIGHT OF REPURCHASE

17. If, after the expiration of one (1) year from the date of execution of a sales contract agreement on any lot or lots within the district, any purchaser of such lot or lots shall not have begun in good faith the construction of an acceptable building upon any portion of said lot or lots (as determined by the Board of Design), Grantor retains the option to refund the purchase price and enter into possession of said land. At any time, Grantor may extend in writing the time which such building may be begun. In any event, Grantor's option to repurchase shall terminate upon the completion of construction on the lot or lots by purchaser.

CLAUSE III

GENERAL PROVISIONS

EFFECTIVE DATE

18. These covenants shall become effective upon the 1st day of May, 1962.

TO RUN WITH LAND

19. Except as otherwise set forth herein, the covenants herein set forth shall run with the land and shall bind the present owner, its successors and assigns; and all parties claiming by, through or under them shall be taken to hold, agree and covenant with the owner of said building sites, with its successors and assigns, and with each of them to conform to and observe said restrictions as to the use of building sites and the construction of improvements thereof.

LIFE

20. Each of the conditions set forth above shall continue and be binding upon the Grantor, upon its successors and assigns, and upon each of them and all parties and all persons claiming under them, for a period of thirty (30) years from the 1st day of May, 1962.

AMENDMENT

21-1. Except for changing the life of these covenants, the same may be amended at any time by Grantor, with the consent evidenced by favorable vote of the majority of the votes cast, at a meeting of the SANTA BARBARA RESEARCH PARK OWNERS AND TENANTS ASSOCIATION called for such purpose, 21-2. The life of the conditions and covenants may be changed only upon the written consent of Grantor, and of the fee simple owners, exclusive of Grantor, owning at least 90% of the lands subject to these covenants.

21-3. Nothing herein shall permit a change in these Restrictions which will prohibit a non-consenting member of the Association from continuing to devote his property to a previously lawful use.

SEPARABILITY

22. Invalidation of any of these covenants or any part thereby by judgments or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN TESTIMONY WHEREOF, Grantor has caused this instrument to be signed the day and year first above written.

CITY TITLE INSURANCE COMPANY

By T.C. Harlin, Vice President

By A.J. Carey, Assistant Secretary

STATE OF CALIFORNIA
COUNTY OF Santa Clara } SS.

On April 26, 1962 before me, the undersigned, a Notary Public in and for said County and State, personally appeared T. C. Harlin known to me to be the Vice President, and A. J. Carey known to me to be the assistant Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

(Seal)

(Notary signature line)

M. Cracolice

("The name (notary's) shall be typed or legibly printed") (See 8205 Government Code 1959)

My Commission Expires 4-13-66

Misc 165 (O.G.) Ack Corp (Rev. 9-59) (6 pt)

EXHIBIT "A"

D E S C R I P T I O N

PARCEL ONE:

Lots 1 to 21, inclusive, of Tract No. 10212, Unit I, in the county of Santa Barbara, state of California, as per map recorded in Book 38, Pages 25, 26, 27 and 28, of Maps, in the office of the County Recorder of said county.

PARCEL TWO:

That portion of Rancho Los Dos Pueblos, in the County of Santa Barbara, State of California, described as follows:

BEGINNING at a point on the southerly line of "Parcel 2", as shown on a map of survey, filed in Book 62, Pages 79 and 80, Record of Surveys, in the office of the County Recorder of said County, from which the 1/2 inch survey pipe set at the southerly common corner of "Parcel 2" and "Parcel 3" as shown on said map, being a point on the northerly line of Hollister Avenue, bears south 88°36'30" west 1021.49 feet; thence north 01°23'30" west 640.00 feet; thence north 88°36'30" east 657.63 feet to the beginning of a curve to the right having a radius of 40.00 feet and a delta of 90°00'00"; thence easterly, southeasterly and southerly along the arc of said curve 62.83 feet to the end thereof; thence south 01°23'30" east 240.16 feet to the beginning of a curve to the right having a radius of 230.00 feet and a delta of 15°00'00"; thence southerly along the arc of said curve 60.21 feet to the end thereof; thence south 13°36'30" west 93.99 feet to the beginning of a curve to the left, having a radius of 230.00 feet and a delta of 15°00'00"; thence southerly along the arc of said curve 60.21 feet to the end thereof; thence south 01°23'30" east 110.00 feet to the beginning of a curve to the right, having a radius of 40.00 feet and a delta of 90°00'00"; thence southerly, southwesterly and westerly along the arc of said curve 62.83 feet to the end thereof and a point in the northerly line of said Hollister Avenue; thence south 88°36'30" west 617.63 feet to the point of beginning.

The land herein described is shown with other lands on a map of survey filed October 13, 1961, in Book 62, at Pages 79 and 80 of Record of Surveys, in the office of the County Recorder of said County.

EXHIBIT "B"

PERFORMANCE STANDARDS

FOR

SANTA BARBARA RESEARCH PARK
Santa Barbara, California

The following Performance Standards on the subject property are incorporated into Restrictive Covenants by this Exhibit "B".

1. SOUND

(a) Sound shall be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness.

(b) Volume of sound shall not exceed forty (40) decibels in the research and development area, measured at the property line.

2. VIBRATION

(a) Equipment shall not create objectionable vibration beyond the property line of the research facility.

(b) In no case shall any Vibration be allowed to create a nuisance or hazard Within the Santa Barbard Research Park.

3. SMOKE, DUST, DIRT, ETC.

(a) Visible emission of smoke will not exceed Ringlemann #1 on the Ringlemann Chart of the U.S. Bureau of Mines. Dust, sprays and mists originating in the premises will not be permitted.

4. ODORS AND NOXIOUS GASES

(a) The emission of obnoxious odors of any kind shall not be permitted.

(b) No gas shall be emitted which is deleterious to the public health, safety or general welfare.

5. GLARE

(a) Any operation producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance and so as not to be seen from any point beyond the property lines.

6. PARKING

All parking shall be provided on the site, with on-street parking prohibited.

(a) Minimum requirements for auto parking shall be provided at the rate of one space for every 1.5 employees of the largest shift. However, regardless of number of employees, the total on-site area reserved for parking shall be not less than one parking space (250 square feet) for each five hundred (500) square feet of building area.

(b) All auto parking areas shall be paved with a minimum of two (2) inches of asphaltic concrete, or equal, placed upon suitable base material.

(c) Auto parking shall not be allowed in the required front yard area or side yard facing an existing or future street, within ten (10) feet of the property line. The setback areas shall be landscaped in an attractive and approved manner.

(d) Auto parking areas shall be provided with entrances, exits, and aisles to insure safe movement of vehicles. Lighting shall be directed away from adjacent property. Landscaping shall be provided in an attractive manner, as provided in Section 13, and in no event shall parking areas be larger than six thousand (6,000) square feet without the placement of random specimen trees in the parking areas.

7. LOADING SPACE

(a) Loading docks will not be permitted to face or encroach upon the required front yard areas. Provisions for handling all material by motor vehicle must be on those sides of any building which do not face a frontage street.

(b) Loading space, or truck parking space; shall not utilize, encroach or interfere with required off-street auto parking.

(c) Loading space, truck parking areas, approaches, access and exit drives shall be paved to meet estimated load requirements. All such areas shall be well maintained.

8. STORAGE FACILITIES

(a) No material, supplies, or products shall be stored or permitted to remain on the property outside a permanent structure unless prior approval is obtained from the Board of Design. If the operation is of a nature that approval of outside storage is granted, the material, supplies, or products shall be screened from view of adjacent properties or streets with approved walls or fencing.

9. WASTE DISPOSAL

(a) No waste material or refuse shall be dumped or remain upon the property outside a permanent structure.

(b) Industrial waste disposal shall be in a manner prescribed by governing codes and ordinances.

10. UTILITIES

All utilities, including electrical power and telephone service, shall be placed underground within the property

11 SIGN RESTRICTIONS

All signs proposed to be placed within the park area shall be subject to the approval of the Board of Design and shall conform to the following general requirements:

(a) No billboards or outdoor adve[illegible]g [illegible]ses will be permitted

(b) A single sign, or nameplate, shall be allowed on the front of each facility (facing a street), advertising only the name, product, or service of the tenant. When the building is on a corner or backs onto another street, a second sign is permitted.

(c) Products and service signs shall be single-faced and attached to the walls of the larger buildings or to secondary structures. However, a symbol or emblem, grouped with the sign, may extend above the roof or firewall, but not to exceed ten (10) feet. Face of signs shall be parallel to the face of the building. Sign towers will not be permitted, nor illuminated water towers.

(d) Signs located other than on the main building (gateways, yards, etc.) shall be subject to the approval of the Board of Design. When permitted, they shall only be backlighted or floodlighted. Letters shall not exceed twelve (12) inches in height.

(e) No advertising signs shall be placed on chain link fences or masonry yard enclosures

(f) Signs shall meet the requirements of the governing building codes

12. WALLS, FENCES AND SCREENS

(a) Material for fences, masonry walls, and screens shall be approved prior to construction.

(b) Fencing or masonry walls will not be allowed in the required front yard areas in excess of two feet six inches (2'6") high. Security fencing will be held to a minimum and in no event will security fencing be permitted at the lot lines facing streets or roads. All fencing material and placement is subject to the approval of the Board of Design.

13. LANDSCAPING

(a) Green treatment of the site not covered by buildings and parking is mandatory and may be in the form of grass lawns or ground covers, shade trees in parking areas, street trees, planting in areas used as dividers, and in areas otherwise unusable. Landscape treatment includes the use of walls, screenings, terraces, fountains, pools, and other water arrangements. Landscaping must be used to mark entrance points and parking areas, service areas, and to enhance building scale and forms.

(b) A minimum ten (10) foot wide strip of landscaped ground along the street property lines, exclusive of drives must be maintained.

(c) Plans shall be submitted and approved by the Board of Design prior to execution.

(d) All landscaped areas must be properly maintained.

14. ARCHITECTURAL AND BUILDING MATERIALS CONTROL

(a) All buildings erected shall conform to the construction standards as specified in the applicable building codes and ordinances, except they shall be of masonry or concrete construction. Any exceptions are subject to approval by the Board of Design.

(b) Prior to construction, the following information shall be submitted to the Board of Design for approval:

(1) Preliminary architectural plans for the proposed building or buildings.

(2) A site plan for traffic engineering analysis, showing location and design of buildings, driveways, driveway intersections with streets, parking areas, loading areas, maneuvering areas and walkways

(3) A grading plan and a planting plan, including screen walls and fences, for analysis of adequacy of visual screening, erosion control and landscape architectural design.

(4) A site plan showing utilities and utility easements

(5) An estimate of the maximum number of employees contemplated for the proposed development and timing of the shifts during which they would work.

(6) Plans for all signs to be erected, including details of sign location, design, size, color and lighting.

(7) A description of proposed operations in sufficient detail to permit judgment of whether or not they are permitted uses under the terms of then existing zoning ordinances.

(8) A description of proposed operations in sufficient detail to permit judgment of the extent of any noise, odor, glare, vibration, smoke, dust, gases, hazard radiation, radioactivity, electrical radiation or liquid wastes which may be created.

(9) Engineering and architectural plans for the solution of any problem indicated by Item (8) above, including any necessary plans for compliance with the performance standards contained in the then existing zoning ordinance.

(10) Any other information required in order to ensure compliance with requirements contained herein.

15. USE

No building site shall be used or occupied for any use other than research and development, and such light manufacturing as is incidental to a research and development program. Any violation of this use may be enjoined by the Board of Design.

It is the intention of these Performance Standards and Restrictive Covenants that all building lot sites shall be used for an industrial park and shall not be acquired for speculative purposes. To this end, Purchaser agrees that:

(a) If construction of an acceptable building has not begun within one (1) year from the date of the execution of a sales contract agreement on any lot within the industrial tract, the Grantor shall have the option to refund the purchase price to Purchaser and enter into the possession of said lot.

Purchaser agrees that, upon Grantor's tender of the purchase price refund to Purchaser, to execute a Quit Claim Deed to the subject lot with Grantor hereunder designated as Grantee.

(b) Purchaser agrees not to sell any of the land within an industrial lot on which there are no permanent buildings and on which Purchaser has received a bona fide offer until and after said property has been first offered to Grantor on the same terms and conditions. If Grantor fails to accept this offer within thirty (30) days, Purchaser may sell to any third party.

10. AREA REQUIREMENTS

(a) Minimum lot area - One (1) acre

(b) Minimum lot width - One hundred fifty (150) feet

(c) Building area - Shall be limited by yard and parking requirements.

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17. YARD REQUIREMENTS

(a) Front yard:

(1) Fifty (50) feet from front property line on Hollister Avenue.

(2) Forty (40) feet from front property line on secondary streets.

(b) Side yards:

(1) Thirty (30) feet from side property line not abutting a street.

(2) Forty (40) feet from side property line abutting an existing or future street

(c) Rear yard:

(1) Rear yard shall be thirty (30) feet from the rear property line.

(d) Height Limitation:

(1) Four (4) stories, or not to exceed forty-five (45) feet.

18 HOUSEKEEPING

The owner or lessee of any parcel in this tract must, at all times, keep the premises, buildings, improvements, and appurtenances in a safe, clean, wholesome condition, and comply in all respects with all government, health and police requirements. Any violations of the above will be referred to the Board of Design, and the Board of Design may order the same remedied by the owner or by the Board of Design at owner's expense

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/ / / / / / / / / END OF DOCUMENT / / /

Luria & Dunn

27 East De la Guerra
Santa Barbara, CA 93101
Phone (805) 966-5823
Fax (805) 899-2706
tel@thomasluria.com

August 9, 2010

City of Goleta
Planning and Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117
Attn: Alan Hanson, Senior Planner

Re: 09-140-DRB; Cortona Apartments
6830 Cortona Drive
APN 073-140-016

Dear Alan:

I am writing with regard to the scoping meeting for a Draft Environmental Impact Report (EIR) scheduled for August 12, 2010 in connection with the captioned project.

My partner and I purchased land in 1985 at 26 Castilian Drive directly adjacent to the subject parcel and built a 76,000 square foot research,development, and warehouse building which was first occupied in May, 1987. We made our investment decision in the property because we felt that the Santa Barbara Research Park was the best of its kind on the South Coast. The buildings were built and have been maintained in accordance with guidelines set forth in Covenants, Conditions, and Restrictions (see attached) written by University Exchange Corporation, the Park developer, in the early 1960's. Among other things described in these documents are the parameters for building design, parking ratios, landscaping, maintenance, and the various allowable office and industrial uses.

With this background in mind, an EIR on the proposed project must address the following:

COMPATIBILITY

In no way is this residential project compatible with the surrounding uses. The existing operations are well within the current zoning and would likely be in conflict with the residents over noise, dust, odors, trespassing, and safety, Noise currently generated which is perfectly acceptable in the Park may be unacceptable to neighbors, especially if the noise is the result of nighttime shifts. Likewise, dust and odors that result from building operations may be viewed as unacceptable, if not hazardous, to residents. Early morning deliveries from trucks which activate backup warning sounds will be problematic. Currently, security and vandalism problems are negligible. The lack of any perimeter barriers is an open invitation for anyone to come across property lines and will create problems which will lead to vandalism and severe safety issues with delivery trucks and employee traffic. It is instructive to note that City staff acknowledges the "...increased potential for increased trespassing on this (sic) properties as a result of the introduction of a large residential project in their midst..." and that this "...would be considered to pose a potentially significant compatibility impact as well." The bottom line is that the proposed apartments are <u>incompatible</u> with the surrounding uses and pose an unavoidable and significant impact which <u>cannot</u> be mitigated.

Luria & Dunn

27 East De la Guerra
Santa Barbara, CA 93101
Phone (805) 966-5823
Fax (805) 899-2706
tel@thomasluria.com

TRAFFIC & PARKING

All of the existing buildings in the Park have been properly developed to provide on site employee parking. Street parking is at a bare minimum. The City's Neighborhood Services Department "...has advised Planning staff that simply meeting minimum City parking standards may not prevent an increase in illegal parking of overflow vehicles on City streets as a result of the growing tendency in the City for people, even in apartment complexes, to own recreational and accessory vehicles (RV's, boats, trailers, etc.)." Any on street parking of the latter would be a blight to the Park and is absolutely unacceptable.

Additionally, the peak hour trips from the residents will create a tremendous burden on the Park surface streets. The introduction of over 200 morning cars during the early morning hours for families taking children to school and going to work would render the Cortona and Hollister intersection a nightmare.

DENSITY

All of the existing buildings comply with the setbacks as described in the C,C & R's, which are generally 40, or in some cases, 50 feet. The allowable building square footage is also covering approximately 35% of the land. The proposed project is requesting "...location of carports on the rear (0-setback) property line and within five (5) feet of the side property line." In addition, the building coverage is in excess of 45% of the land. Once more, this is unacceptable. The bottom line is that, in order to meet the minimum density of 20 units per acre per the guidelines for an affordable housing opportunity (AHO) site, the design has squeezed buildings in every way possible. Clearly, it is overly ambitious.

AESTHETICS

There is an inherent conflict between the proposed residential development and the existing buildings. The project description lists seven two-story and one three story building. At the upper elevations, the units would no doubt look down on the roofs of industrial buildings which are filled with air conditioning units and a host of other appurtenant roof top equipment. By the same token, the existing buildings enjoy beautiful mountain views which would disappear.

BIOLOGICAL

City staff has gone to great lengths to establish the net developable acres on site after accounting for loss of land which has environmentally sensitive areas. While the case is made the net barely accommodates the minimum required density for an AHO site, it appears that it has been overlooked that some of the sensitive areas are covered by buildings. The developer has proposed mitigation measures which might make this possible except that those measures are not in the City limits and, thus, not acceptable to the City. This fact, together with the setback issues discussed above, could well mean that this land is unable to meet the minimum zoning requirement.

Luria & Dunn

27 East De la Guerra
Santa Barbara, CA 93101
Phone (805) 966-5823
Fax (805) 899-2706
tel@thomasluria.com

Santa Barbara is special to all of us in large part due to the comprehensive planning that has been performed over the last 50 plus years. Industrial parks are clearly distinct from retail areas which are clearly distinct from residential areas and so forth. While we recognize that the City of Goleta needed to identify sites which meet affordable housing opportunity conditions, the subject parcel is clearly ill conceived. The City needs to recognize this error and restore the original and proper zoning for this land. Anything less than that is unacceptable to us.

Sincerely,

Thomas E. Luria

Cortona Partnership, LLC

August 11, 2010

City of Goleta
Planning and Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117
Attn: Alan Hanson, Senior Planner

RE: 09-140-DRB: Cortona Apts
6830 Cortona Drive
APN 073-140-016

Dear Alan:

We represent the ownership of 6860 Cortona Drive, the neighboring parcel to 6830 Cortona Drive. We are writing to voice our concerns to the scoping meeting for the August 12, 2010 Draft Environmental Impact Report on this project.

We have in the past and continue to object to the insertion of this residential project in the midst of a large research and development park. Nothing in the plans submitted show mitigation of safety, trespassing and traffic issues. Visually there has been no attempt to harmonize with the surrounding architecture or existing visual corridors. This proposed development has been forced into an area where it does not belong and with which it is not compatible. The quality of life for any resident being "walled" in an industrial area would be poor at best. The Environmental Impact Report should address these issues and the City of Goleta should rezone this plot to its original research development status.

Sincerely Yours,

Russell Michealsen

Daniel Michealsen

Toyon
RESEARCH CORPORATION

30 June 2010

Alan Hanson
130 Cremona Dr., Suite B
Goleta, CA, 93117

Re: Cortona Apt Proposed Development

Dear Mr. Hanson:

Toyon Research Corporation is the current leaseholder at 6800 Cortona Ave which is adjacent to the proposed development. Toyon was founded in 1980 with 3 people as a Goleta Company and now has over 80 highly technical employees in Goleta and occupies 40,000 sq ft of commercial space. We have occupied the 6800 Cortona space for about 4 years, and have invested close to $3.0 Million in renovation and internal expansion during that time.

The nature of our work is primarily advanced Research and Development for the Department of Defense. Most of our work is confined to the interior of our building; however we do make use of the exterior of spaces of the property as part of our work and we are sensitive to potential overflow issues that could arise with the introduction of residential apartments into a well kept business park.

The following concerns are mostly in the spirit of good neighbor and concerned citizen, and based on our experiences at this facility:

- ✓ Adjacent Property Line
  - We would like to see a solid wall between our properties that would discourage people from taking shortcuts through our property would be important to minimize trespassing.
  - We would like to see landscaping sufficient to minimize sight lines from the proposed 3 story building into our property, preferably preserving the existing palm and eucalyptus trees.
- ✓ Safety and Security
  - We like to understand the potential impact of a mixed use neighborhood with increases in vandalism, graffiti, burglaries, and other petty crimes. At present we enjoy working in a professional business park, and it is inevitable that the dynamics of this area will worsen.
  - Physical security, we will need to evaluate the impact to us and potential site upgrades that may be required, e.g., lighting, additional fencing, and security patrols.

6800 Cortona Drive • Goleta • CA • 93117-3021 **Phone** • 805 968-6787 **Fax** • 805 685-8089 **www.toyon.com**

- ✓ Access to the Cortona Apartments Property
  - We are concerned about emergency vehicle access and evacuation via a single access point. Recent experience with the Santa Barbara wild fires has illustrated the challenge and necessity of quick evacuations when multiple emergency vehicles are called to a scene.
  - Sufficient parking will be likely be an issue, and the common sense algorithm would imply that a 2:1 ratio of parking to apartments, with sufficient visitor parking would be a requirement, and perhaps even have some oversized parking spots for special vehicles.
- ✓ Traffic Impacts
  - Increased traffic along Cortona that will predominately egress directly to Hollister. Pedestrian movement patterns and safety should be considered as many of our staff take advantage of the food courts in the nearby shopping malls for lunch on a daily basis. One consideration should be to make the Cortona to Hollister intersection Right Turn only, and perhaps put a stop light at the intersection of Coromar Dr. and Hollister.
  - Overflow parking along Cortona. Currently overnight parking is prohibited along Cortona, we will like this to be preserved as we have a concern for the degradation of the neighborhood.

Regards,

Paul Castleberg, Ph.D.
for Vice President for Corporate Operations
Toyon Research Corporation

PAC:joy

Edmund G. Brown, Jr., Governor

STATE OF CALIFORNIA

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

October 17, 2012 (Corrected)

Ms. Stephanie Diaz, Contract Planner
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Sent by FAX to: 805-961-7551
No. of Pages: 6

Re: Sacred Lands File Search and Native American Contacts list for the proposed Sacred Lands File Search and Native American Contacts list for the proposed **"Cortona Apartments Project;"** located in the City of Goleta; Santa Barbara County, California

Dear. Ms. Diaz:

The Native American Heritage Commission (NAHC) conducted a Sacred Lands search based on the data provided and **Native American cultural resource sites were not identified** in the location: you specified in the City of Goleta.. Also the absence of archaeological fixtures and other cultural resource items does not preclude their existence at the subsurface level. In addition, please note; the NAHC Sacred Lands Inventory is not exhaustive and does not preclude the discovery of cultural resources during any project groundbreaking activity.

California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction.

In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites

The California Environmental Quality Act (CEQA – CA Public Resources Code §§ 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. CA Government Code §65040.12(e) defines "environmental justice" provisions and is applicable to the environmental review processes. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Local Native Americans may have knowledge of the religious and cultural significance of the historic properties of the proposed project for the area (e.g. APE). Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). We urge consultation with those tribes and interested Native Americans on the list that the NAHC has provided in order to see if your proposed project might impact Native American cultural resources. Lead agencies should consider avoidance as defined in §15370 of the CEQA Guidelines when significant cultural resources as defined by the CEQA Guidelines §15064.5 (b)(c)(f) may be affected by a proposed project. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "substantial," and Section 21083.2 which requires documentation, data recovery of cultural resources.

The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Partnering with local tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 4(f), Section 110 and (k) of the federal NHPA (16 U.S.C. 470 *et seq*), Section 4(f) of the Department of Transportation Act of 1966 (23 CFR 774); 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq*. and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The NAHC remains concerned about the limitations and methods employed for NHPA Section 106 Consultation.

Also, California Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery', another important reason to have Native American Monitors on board with the project.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. An excellent way to reinforce the relationship between a project and local tribes is to employ Native American Monitors in all phases of proposed projects including the planning phases.

Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibility threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton

Attachment: Native American Contact List

Native American Contacts
Santa Barbara County
October 17, 2012

Ernestine DeSoto
1311 Salinas Place # 5 Chumash
Santa Barbara CA 93101
805-636-3963

Patrick Tumamait
992 El Camino Corto Chumash
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Beverly Salazar Folkes
1931 Shadybrook Drive Chumash
Thousand Oaks, CA 91362 Tataviam
folkes@msn.com Ferrnandeño
805 492-7255
(805) 558-1154 - cell

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road Chumash
Grover Beach CA 93433
(805) 481-2461
(805) 474-4729 - Fax

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517 Chumash
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

John Ruiz
1826 Stanwood Drive Chumash
Santa Barbara CA 93103
(805) 965-8983

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait-Stennslie, Chairwoman
365 North Poli Ave Chumash
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Gilbert M. Unzueta Jr.
571 Citation Way Chumash
Thousand Oaks, CA 91320
uhuffle@aol.com
(805) 375-7229

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed Cortona Apartments Project; located in the City of Goleta; Santa Barbara Coujnty, California for which a Sacred Lands File search and Native American Contacts list were requested.

Native American Contacts
Santa Barbara County
October 17, 2012

Owl Clan
Qun-tan Shup
48825 Sapaque Road
Bradley , CA 93426
mupaka@gmail.com
(805) 472-9536 phone/fax
(805) 835-2382 - CELL
Chumash

Coastal Band of the Chumash Nation
Toni Cordero, Chairwoman
P.O. Box 4464
Santa Barbara CA 93140
cordero44@charter.net
805-964-3447
Chumash

Stephen William Miller
189 Cartagena
Camarillo , CA 93010
(805) 484-2439
Chumash

Charles S. Parra
P.O. Box 6612
Oxnard , CA 93031
(805) 340-3134 (Cell)
(805) 488-0481 (Home)
Chumash

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX
Chumash

Santa Ynez Band of Mission Indians
Tribal Administrator
P.O. Box 517
Santa Ynez , CA 93460
info@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax
Chumash

Randy Guzman - Folkes
6471 Cornell Circle
Moorpark , CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell
Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Carol A. Pulido
165 Mountainview Street
Oak View , CA 93022
805-649-2743 (Home)
Chumash

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Native American Contacts
Santa Barbara County
October 17, 2012

Melissa M. Parra-Hernandez
119 North Balsam Street Chumash
Oxnard , CA 93030
envyy36@yahoo.com
805-983-7964
(805) 248-8463 cell

Barbareno/Ventureno Band of Mission Indians
Raudel Joe Banuelos, Jr.
331 Mira Flores Court Chumash
Camarillo , CA 93012
805-987-5314

Frank Arredondo
PO Box 161 Chumash
Santa Barbara CA 93102
ksen_sku_mu@yahoo.com
805-617-6884
ksen_sku_mu@yahoo.com

Coastal Band of the Chumash Nation
Janet Darlene Garcia
P.O. Box 4464 Chumash
Santa Barbara CA 93140
805-689-9528

Santa Ynez Tribal Elders Council
Freddie Romero, Cultural Preservation Consint
P.O. Box 365 Chumash
Santa Ynez , CA 93460
freddyromero1959@yahoo.
805-688-7997, Ext 37

Coastal Band of the Chumash Nation
Crystal Baker
P.O. Box 4464 Chumash
Santa Barbara CA 93140
805-689-9528

Barbareno/Ventureno Band of Mission Indians
Kathleen Pappo
2762 Vista Mesa Drive Chumash
Rancho Pales Verdes CA 90275
310-831-5295

This list is current only as of the date of this document.

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This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed Cortona Apartments Project; located in the City of Goleta; Santa Barbara Coujnty, California for which a Sacred Lands File search and Native American Contacts list were requested.

Our Vision Clean Air

Santa Barbara County
Air Pollution Control District

CITY OF GOLETA
CALIFORNIA
OCT 15 2012
RECEIVED

October 12, 2012

Stephanie Diaz
Planning & Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: APCD Comments on Cortona Apartments, 10-099-0A (formerly 09-140-DP)

Dear Ms. Diaz:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of a request for a development plan approval for the construction of a 176 rental apartment unit project. The project has been revised and revisions are summarized as follows: units increased from 171 to 176; number of buildings increased from 8 to 9; parking changed from 322 spaces to 330 spaces; a 6 foot high privacy wall was added on East and West property lines; interior driveway width is now 25 feet 6 inches; carports & parking spaces encroach into North setback 10 feet, East setback 5 feet, and West setback 8 feet; and nine oak trees are to be removed. The subject property, an 8.86-acre parcel zoned DR-20 and identified in the Assessor Parcel Map Book as APN 073-140-016, is located at 6830 Cortona Drive in the City of Goleta.

Air Pollution Control District staff has no additional comments on the scope of environmental review for the revised proposed project. The APCD letter dated *September 11, 2009* is still applicable for evaluation of potential impacts in the Environmental Impact Report.

APCD staff offers the following additional suggested conditions on the development of the proposed project:

1. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.

2. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

3. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to installation. Please see www.sbcapcd.org/eng/boiler/rule360/rule_360.htm for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas

Louis D. Van Mullem, Jr. • Air Pollution Control Officer
260 North San Antonio Road, Suite A • Santa Barbara, CA • 93110 • www.sbcapcd.org • 805.961.8800 • 805.961.8801 (fax)

must be certified by the SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).

4. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
   - Energy use (energy efficiency, low carbon fuels, renewable energy)
   - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
   - Water conservation (improved practices and equipment, landscaping)
   - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
   - Architectural features (green building practices, cool roofs)

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8890 or via email at cvw@sbcapcd.org.

Sincerely,

Carly Wilburton

Carly Wilburton,
Air Quality Specialist
Technology and Environmental Assessment Division

cc: Project File
TEA Chron File

Stephanie Diaz

From: Chris Shaeffer <chris_shaeffer@dot.ca.gov> CALTRANS
Sent: Tuesday, October 09, 2012 10:17 AM
To: Stephanie Diaz
Cc: Harwood White (harwood@harwoodwhite.com); Frank Boyle
Subject: RE: Cortona Apartments 09-140-DP and 10-099-OA

Subsequent to the NOP correspondence, city and Caltrans staff did meet. We discussed a range of projects as well as specific items raised in the NOP letter.
The main outcomes, particularly for Cortona and other projects near Los Carneros/101 interchange is to ensure that project traffic analyses were

1. consistent with the Los Carneros Overhead project traffic and land use assumptions / outcomes. Particularly because the land use looked out at least 20 years.
2. With respect to ramps / 101 mainline, if a project will change or amend the existing land use / zoning assignments from what existed at the time of the Los Carneros Overhead, then attention needs to be given to the SB on-ramp - both at its intersection with Los Carneros and the merge / weave at the ramp / mainline junction.

Does that help?

Chris Shaeffer
Caltrans Dist 5
Development Review
(805) 549.3632

Stephanie Diaz
<sdiaz@cityofgole
ta.org>
To
Chris Shaeffer
10/09/2012 10:00 <chris_shaeffer@dot.ca.gov>
AM
cc
"Harwood White
(harwood@harwoodwhite.com)"
<harwood@harwoodwhite.com>
Subject
RE: Cortona Apartments 09-140-DP
and 10-099-OA

Stephanie Diaz

From: Chris Shaeffer <chris_shaeffer@dot.ca.gov>
Sent: Thursday, October 11, 2012 2:26 PM
To: Shine Ling; Steve Wagner; Marti Schultz; Stephanie Diaz; Scott Kolwitz; Alan Hanson; Rosemarie Gaglione
Subject: Caltrans - point of contact change - ceqa & development review

Good afternoon. By way of this email (I wish we could have done this in person) please note that Adam Fukushima is now the Caltrans rep in District 5 / SB County for environmental document, local project, and development review, Adam can be reached at:

adam.fukushima@dot.ca.gov

and

805.549.3632 / 3131

On your email distribution lists, please replace me with Adam.

Thanks!

Chris Shaeffer
Caltrans Dist 5
Development Review
(805) 549.3632

Fire Department

"Serving the community since 1926"

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Michael W. Dyer
Fire Chief
County Fire Warden

Christian J. Hahn
Deputy Fire Chief

October 24, 2012

Ms. Stephanie Diaz
Planning Department
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear Ms. Diaz:

SUBJECT: APN: 073-140-016; Permit #: 10-099-OA (formerly 09-140-DP)
Site: Cortona Apartments (Six Rental Apartment Buildings), Cortona Drive Goleta
Project: Multi-Residential Development

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Fire Protection Certificates will be required.

2. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO ISSUING BUILDING PERMIT THE FOLLOWING CONDITION MUST BE MET

3. Provide detailed plans for the "Grasscrete" Fire Access Lanes.
   - The fire access lanes shall have a curb type perimeter to clearly identify the driving path.
   - Show all signage that will be posted to identify the "Fire Access Lane" for emergency use only.
   - Plans must be approved by fire department.

PRIOR TO CONSTRUCTION OF STRUCTURE THE FOLLOWING CONDITIONS MUST BE MET

4. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.

5. All access ways (public and private, road and driveways) shall be installed and made serviceable for the life of the project.
   - Access shall be as shown on plans dated April 30, 2012.
   - Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any building.
   - Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
   - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

6. Signs indicating "Fire Lane – No Parking" shall be placed every 150 feet or as required by the fire department. Refer to Appendix D of the 2007 California Fire Code Section D 103.6.

7. Fire hydrants shall be installed on a looped fire main (number of fire hydrants to be determined). Fire hydrants shall be located per fire department specifications and shall flow 1250 gallons per minute at a 20 psi residual pressure. Plans shall be approved by the fire department prior to installation.

PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS MUST BE MET

8. Interior automatic fire sprinkler systems shall be installed. Plans shall be approved by the fire department prior to installation.

9. Automatic fire or emergency alarm systems shall be installed. Plans shall be approved by the fire department prior to installation.

10. Recorded addresses are required. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.

11. Building address numbers shall be posted as required by fire department.

12. Access way entrance gates shall conform to fire department standards. Plans shall be approved by the fire department prior to installation.

13. When access ways are gated, a fire department approved locking system shall be installed. Plans shall be approved by the fire department prior to installation.

14. A Knox Box entry system shall be installed. Plans shall be approved by the fire department prior to installation.

15. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at $.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,

Dwight Pepin, Captain
Fire Prevention Division

DP:mkb

c Goleta Water District, 4699 Hollister Av, Goleta 93110

Fire Department
"Serving the community since 1926"

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Michael W. Dyer
Fire Chief
County Fire Warden

Christian J. Hahn
Deputy Fire Chief

July 13, 2012

Mr. Alan Hanson
Planning Department
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear Mr. Hanson:

SUBJECT: APN: 073-140-016; Permit #: 09-140-DP
Site: Cortona Drive, Goleta
Project Description: Multi-Residential Development

This Development Memorandum Supersedes the Previous Development Memorandum Dated July 1, 2010

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. A Fire Protection Certificate will be required.

2. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

3. All access ways (public or private) shall be installed and made serviceable for the life of the project.

4. Seven new fire hydrants shall be installed and flow 1250 gallons per minute at a 20 psi residual pressure The hydrants shall consist of one 4-inch outlet and two 2-1/2 inch outlets.
   - Plans shall be approved by the fire department prior to installation.

PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS MUST BE MET

5. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved by the fire department prior to installation. Location of any fire department connection shall be determined by the fire department.

6. Santa Barbara County Fire Department fire or emergency alarm system requirements shall be met. Plans shall be approved by the fire department prior to installation.

7. Portable fire extinguishers are required.

8. A recorded address is required. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.

9. Building address numbers shall be posted as required by fire department.

10. Access way entrance gates shall conform to fire department standards.

11. When access ways are gated a fire department approved locking system shall be installed.

12. A Knox key box entry system shall be installed.

13. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

    Fees will be calculated as follows:

    - Mitigation Fee at $.10 per square foot for structures with fire sprinkler systems
    - Goleta Fees

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,

Dwight Pepin, Captain
Fire Prevention Division

DP:mkb

CITY OF GOLETA

MEMORANDUM

DATE: November 24, 2009

TO: Marti Schultz, Principal Engineer

FROM: Alan Hanson, Senior Planner

SUBJECT: 6830 Cortona Development Plan Application

Marti

Bendy White resubmitted the project yesterday. I've completed my preliminary review of the resubmittal & am forwarding project plans & a drainage report to you for your review. Of particular interest to Community Services, please note the following:

1) No composite utility plan for the project was included in the resubmittal. I believe they did not include one due to the wording in the incomplete letter that focused on above ground utility connections, of which none are proposed for the project. Water & sewer are already available in the street and all utilities will be undergrounded. Therefore, do we still need a composite utility plan or can we go off of what has been submitted?
2) The traffic study we required is still pending. The application will remain incomplete until it is submitted.
3) Please note that the drive aisles between parking spaces are only 24' wide instead of the standard 27' as required by the City's parking regulations. To approve in this configuration will require a modification from the Planning Commission. Please review the internal circulation plan & let me know if Community Services can support such a modification.
4) Are the preliminary grading/drainage plan & accompanying drainage study adequate for the purposes of application completeness & are the plans and proposed BMPs compliant with the City's Stormwater Management Program?
5) Do the submitted plans provide Community Services w/sufficient detail on all proposed street frontage requirements?
6) Please note that the applicant is objecting to any City requirement to construct a sidewalk from their property all the way to Hollister. They state that they should only be required to construct sidewalk for their frontage on Cortona. What is Community Services' response to their position on sidewalks from the project to Hollister?

KATHLEEN M. WEINHEIMER
ATTORNEY AT LAW
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SANTA BARBARA, CALIFORNIA 93103
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EMAIL: kathleenweinheimer@cox.net

CITY OF GOLETA
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August 30, 2012

Ms. Pat Saley
Acting Director
Planning & Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, California 93117

Re: <u>6830 Cortona Drive</u>

Dear Pat:

As you know, I represent the neighboring property owners in the adjacent Santa Barbara Research and Light Industrial Park, all of whom are concerned about the proposed residential development in the midst of their high-tech facilities. For the past six years, these property owners have participated in the City's review process, expressing their objections to the initial rezoning to residential, as well as the increased density associated with the affordable housing overlay. At the most recent Design Review Board hearing on August14, 2012, the owners were even more concerned by some of the comments from certain Board members, who seemed to believe that, since the property had been zoned for high density residential, the required design review findings regarding compatibility and the size, bulk and scale of the project were either presumed or unnecessary. One Board member voiced concern about the inherent incompatibility of dense residential development in the middle of an existing business park (a comment made by a member at a prior DRB meeting as well), but another member responded that since the property had been rezoned, "this [development] has been set" – apparently conceding that issues of compatibility and density are not up for discussion.

This, of course, is not the case. A zoning designation alone is not a guarantee to construction, let alone construction at the maximum possible density allowable on the site. My clients hope, and expect, that through the environmental review and subsequent planning process, the issues of compatibility, density, and size, bulk and scale will be properly evaluated, and not treated a given based upon the site's zoning designation. These issues are particularly relevant given the number of new affordable housing units that have been constructed or approved in Goleta since this property was rezoned several years ago. We would expect any environmental document to include, as part of the Population/ Housing section, a full discussion of the City's current housing needs, the impact of recent construction on future housing requirements, and the City's progress in meeting the regional housing needs in Goleta.

In addition, we request that the following potential impacts be evaluated in the Initial Study, and in the subsequent Environmental Impact Report:

1. Transportation/Traffic and Parking: The proposed development calls for the construction of 176 residential units on 8.8 acres, with limited parking and only one point of entry onto an already developed, curving street. There is limited guest parking onsite, and no parking available for oversized vehicles. The potential for impacting adjacent business parking lots should be addressed in the environmental analysis. Further, all traffic will exit onto Cortona, with large numbers using the Cortona/Hollister intersection and the adjacent, impacted Storke/Holllister interchange. Given the residential nature of the project, much of the traffic will be at peak hours, further impacting the already congested adjacent roadways.

2. Hazards and Hazardous Materials/Safety: In addition to the traffic impacts cited above, the introduction of 176 residential units into the existing business park will increase the likelihood of pedestrian or bicycle vs. vehicle accidents. Of even greater concern, however, is the placement of 176 housing units immediately adjacent to the railroad tracks, the freeway, and several extremely busy streets (Hollister and Storke). With only one access point, evacuation of the site in the case of an emergency (train derailment, etc.) could be dangerously slow. Odors, dust, and operational aspects of the existing permitted business park should be factored into the environmental analysis, as these existing, permitted uses may have significant effects on the proposed residential use, which is inherently incompatible with the surrounding, developed business park use. Finally, several of the tenants in the surrounding business park utilize chemicals in their processes, chemicals which pose an additional risk to residents in a development where even minimal setbacks from the adjacent businesses have been all but eliminated.

3. Visual Impact Analysis/Aesthetics: The existing business park was designed and developed with significant setbacks and landscaping to provide not only separation between buildings, but a sense of openness and preservation of views to the Santa Ynez Mountains. The proposed project, at 20 units per acre (many of which are proposed in buildings three stories in height,) will

completely alter the area's aesthetics, and infringe upon both the adjacent properties' and the public's views to the mountains.

4. Biological Resources: With the removal of virtually all vegetation from the site, including a number of trees of significant size, local wildlife habitat will be negatively impacted. Furthermore, any wildlife corridors which may exist will be all but eliminated by the density of development and the intensity of lot coverage proposed for the site. With limited open space in the project, alternative routes for wildlife appear unlikely. Native vegetation will also be eliminated, with few opportunities for restoration nearby.

5. Cultural Resources: This area is known for significant archeological and cultural artifacts, which will be disturbed through the development process. Given the density of development proposed, impacts on these resources cannot be avoided, nor can areas be set aside to preserve any such discoveries onsite.

6. Noise: The introduction of residences into an industrial park raises an inherent conflict relative to noise impacts both to the residents and the surrounding industrial users. With the requested sideyard setback variances, there will be even less of a buffer between these two incompatible uses, raising the likelihood that future residents will have their lives disrupted by nighttime business operations (several current tenants operate 24 hours per day), while the business park tenants will be inconvenienced by the presence of a residential development (with a pool and beach volleyball court) next door. In addition, noise impacts on the proposed indoor and outdoor residential use from the adjacent railroad tracks and nearby airport should be included in the analysis.

7. Land Use/Planning: As mentioned above, perhaps the most significant impact to be evaluated is the incompatibility of the proposed high density residential use in the middle of a developed business park. The fact that the City designated this as a possible site for affordable housing in the past does not mean that the appropriateness of the site for the proposed development is a foregone conclusion. The potential impacts of residential development in this location were not fully evaluated when the rezoning occurred, as no specific project application was under consideration. Rather, this rezoning occurred not to further an already established development pattern (the business park) but solely to satisfy the State's mandate that the City identify adequate sites for affordable housing. Clearly such a designation cannot be allowed to trump sound planning or environmental concerns. Moreover, without rental

restrictions, there is nothing which requires this housing to remain affordable, thereby frustrating the City's original intent.

8. Environmental Justice: While not directly a concern of the business park owners, the quality of life and equality issues associated with placing high density housing, with the assumption that it is low income housing, in an industrial/business park adjacent to the freeway and railroad tracks does deserve analysis, whether through the environmental document or the Planning Commission's review. While infill lots have often been developed for low income housing throughout the county, this 8.8 acre site in the center of an established business park is neither infill, nor an appropriate site for residential development, given its location adjacent to several different transportation corridors. Quality affordable housing deserves to be placed in a location befitting residential use.

Given the potential for significant environmental impacts, an EIR must be prepared for the proposed project. In addition to the environmental issue areas identified above, we expect that a range of reasonable alternatives to the project and the location of the project will be analyzed.

With that, we look forward to participating in the environmental review process and would request that we receive notification of the availability of documents and all upcoming hearings related to this project. Thank you for your consideration of our concerns.

Sincerely,

Kathleen M. Weinheimer

cc: Messrs. Tom Luria, Kip Bradley, Russ Michealsen, Dexter Godell, Sep Wolf, Peter Goodell, Dan Michealsen

Development Review Committee Response Form

Comments by Form Recipient
(Please indicate case number, project name, and case planner, check all that apply, and mail, fax to (805) 961-7551, or email-reply back to the case planner.

Development Review Committee Case No.: 10-099-DA

Project Name: CORTONA APARTMENTS

Case Planner: STEPHANIE DIAZ

____ No Comment.

_X_ Not Applicable / No regulatory authority.

____ Will attend meeting.

____ Unable to attend meeting.

____ Comments are attached.

Signature: [signature] Date: 10/10/2012

Dept/Agency/District: GOLETA SANITARY DIST Position: COLLECTION SYSTEM SUPERVISOR

Rev 6/15/12

RECEIVED
OCT 15 2012
City of Goleta
Planning & Environmental Svcs.

Development Review Committee Response Form

Comments by Form Recipient
(Please indicate case number, project name, and case planner, check all that apply, and mail, fax to (805) 961-7551, or email-reply back to the case planner.

Development Review Committee Case No.: 10-099-0A (formerly 09-140-DP)

Project Name: Cortona Apartments

Case Planner: Stephanie Diaz, Consultant

____ No Comment.

_X_ Not Applicable / No regulatory authority.

____ Will attend meeting.

____ Unable to attend meeting.

____ Comments are attached.

Signature: Mark [signature] Date: 10/10/12

Dept/Agency/District: SB County Flood Control Position: Development Review Engineer

Rev 6/15/12

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